Alberta

Freedom To Create. Spirit To Achieve.

Justice

Annual Report
2009-2010

Government of Alberta

Note to Readers:
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Justice

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2009-2010

CONTENTS

Preface 1

Minister's Accountability Statement 1

Message from the Minister 2

Management's Responsibility for Reporting 4

Results Analysis 5

- Ministry Overview 6
- Auditor General's Report 10
- Performance Measures Summary Table 12
- Discussion and Analysis of Results 14
- *Anti-Terrorism Act* 29
- Financial Highlights by Core Business 30
- Expense by Function 31

Financial Information 32

- Ministry of Justice Financial Statements 34

Other Information 58

Supplementary Ministry Financial Information 64

- Office of the Public Trustee, Estates and Trusts Financial Statements 64

Preface

The Public Accounts of Alberta are prepared in accordance with the *Financial Administration Act* and the *Government Accountability Act*. The Public Accounts consist of the annual report of the Government of Alberta and the annual reports of each of the 24 Ministries.

The annual report of the Government of Alberta released June 24, 2010 contains Ministers' accountability statements, the consolidated financial statements of the Province and *The Measuring Up* report, which compares actual performance results to desired results set out in the government's business plan.

This annual report of the Ministry of Justice contains the Minister's accountability statement, the audited financial statements of the Ministry and a comparison of actual performance results to desired results set out in the Ministry business plan. This Ministry annual report also includes other financial information as required by the *Financial Administration Act* and *Government Accountability Act*, either as separate reports or as a part of the financial statements, to the extent that the Ministry has anything to report.

Minister's Accountability Statement

The Ministry's annual report for the year ended March 31, 2010, was prepared under my direction in accordance with the *Government Accountability Act* and the government's accounting policies. All of the government's policy decisions as at September 10, 2010 with material economic or fiscal implications of which I am aware have been considered in the preparation of this report.

Alison Redford, Q.C.
Minister of Justice and Attorney General

Message from the Minister

It has been another exceptionally busy year and I am proud to say Alberta Justice has again accomplished a number of impressive achievements. I am especially proud of the fact that our Ministry was able to maintain quality programs and services for Albertans while still reducing costs. The outstanding staff at Alberta Justice continued their commitment to excellence in the face of significant changes.

The Safe Communities initiative continued to be a priority and the Government of Alberta has made a firm commitment to maintaining strong and safe communities by supporting programs that strike a balance between prevention, treatment and enforcement.

Our successes over the past 12 months included:

Establishing legislation to provide a provincial witness security program to help with gang investigations and subsequent prosecutions.

Introducing provincial legislation outlining restrictions on the use of body armour and regulations on armoured vehicles to allow police to immediately remove this equipment from the hands of criminals.

Providing support through the $60 million Safe Communities Innovation Fund (SCIF) to 31 community-based projects addressing crime. These projects range from gang intervention and family violence, to mentoring programs and homeless youth outreach.

Implementing amendments to broaden the scope of *Alberta's Victims Restitution and Compensation Payment Act*. These amendments expand the range of victims who can recover the costs of crime and increase the availability of grants to social agencies such as at-risk youth programs, drug awareness projects and domestic violence shelters. Thanks to this legislation more than $15 million worth of illegal property has been removed from communities across Alberta.

Targeting properties under the *Safer Communities and Neighbourhoods Act* (SCAN) where drug dealing, gang activity and prostitution were present.

Hosting the Alberta Gang Crime Summit in Calgary to collaborate with police and community partners to reduce the influence of violent and organized crime in Alberta.

The Court Case Management (CCM) program maximized the use of available court time, streamlined criminal justice processes, increased the public's confidence in the justice system and most importantly, improved access to justice for Albertans. The program's focus was to find ways to more effectively manage cases in Edmonton and Calgary adult Provincial Court by using new and innovative methods to schedule and dispose of matters in the Provincial Court.

Alberta Justice Crown prosecutors had an incredibly successful year and worked tirelessly to represent Alberta Justice on a number of very high profile cases in addition to regular caseloads. Alberta's Crown prosecutors are recognized across Canada for their ability and integrity and I would like to acknowledge their extraordinary efforts and commitment.

At Alberta Justice we have been given the opportunity to make some truly meaningful changes to the province that will have a direct impact on Albertans. I look forward to continuing our work to

ensure Alberta's communities are safe and secure. The work Alberta Justice does will ultimately benefit our neighbours, friends and families, and communities across our province.

Alison Redford, Q.C.
Minister of Justice and Attorney General

Management's Responsibility for Reporting

The executives of the Ministry have the primary responsibility and accountability for the Ministry. Collectively, the executives ensure the Ministry complies with all relevant legislation, regulations and policies.

Ministry business plans, annual reports, performance results and the supporting management information are integral to the government's fiscal and business plans, annual report, quarterly reports and other financial and performance reporting.

Responsibility for the integrity and objectivity of the financial statements and performance results for the Ministry rests with the Minister of Justice. Under the direction of the Minister, I oversee the preparation of the Ministry's annual report, including financial statements and performance results. The financial statements and the performance results, of necessity, include amounts that are based on estimates and judgments. The financial statements are prepared in accordance with the Canadian generally accepted accounting principles for the public sector as recommended by the Public Sector Accounting Board of the Canadian Institute of Chartered Accountants. The performance measures are prepared in accordance with the following criteria:

- Reliability – Information agrees with the underlying data and the sources used to prepare it.
- Understandability and Comparability – Actual results are presented clearly and consistently with the stated methodology and presented on the same basis as targets and prior years' information.
- Completeness – Performance measures and targets match those included in Budget 2009. Actual results are presented for all measures.

As Deputy Minister, in addition to program responsibilities, I establish and maintain the Ministry's financial administration and reporting functions. The Ministry maintains systems of financial management and internal control which give consideration to costs, benefits, and risks that are designed to:

- provide reasonable assurance that transactions are properly authorized, executed in accordance with prescribed legislation and regulations, and properly recorded so as to maintain accountability of public money;
- provide information to manage and report on performance;
- safeguard the assets and properties of the Province under Ministry administration;
- provide Executive Council, Treasury Board, the Minister of Finance and Enterprise and the Minister of Justice and Attorney General any information needed to fulfill their responsibilities; and
- facilitate preparation of Ministry business plans and annual reports required under the *Government Accountability Act*.

In fulfilling my responsibilities for the Ministry, I have relied, as necessary, on the executives within the Ministry.

Ray Bodnarek, Q.C.
Deputy Minister of Justice and Deputy Attorney General
September 10, 2010

Results Analysis

Ministry Overview 6

Boards, Agencies and Committees 6

Department of Justice 7

Key Factors Influencing Performance 9

Auditor General's Report 10

Performance Measures Summary Table 12

Discussion and Analysis of Results 14

Goal One: Promote safe communities in Alberta 14

Goal Two: Promote a fair and accessible civil and criminal justice system 17

Goal Three: Provide access to justice services for Albertans in need 20

Goal Four: Improve understanding of and confidence in the justice system 23

Goal Five: Assist government ministries to achieve their objectives through the provision of effective legal and related strategic services 25

Sources and Notes 27

Anti-Terrorism Act 29

Financial Highlights by Core Business 30

Expense by Function 31

Ministry Overview

In collaboration with the judiciary, communities, government agencies and non-governmental organizations, the Ministry of Justice strives to fulfill its mission to protect the rights of all individuals in Alberta and advance the interests of society by fostering: safe communities; access to justice; respect for the law; understanding of and confidence in the justice system; and the legal foundation for social cohesion and economic prosperity.

Boards, Agencies and Committees

Alberta Review Board

The Alberta Review Board makes or reviews dispositions concerning any accused person for whom a verdict of "not criminally responsible because of mental disorder" or "unfit to stand trial" is rendered, according to the provisions of the *Criminal Code of Canada*. The board also has the responsibility for determining whether a person should be subject to a detention order or conditional discharge, or be granted an absolute discharge. The board's nine members are appointed by the Lieutenant Governor in Council.

Fatality Review Board

The Fatality Review Board is responsible for reviewing certain deaths investigated by the Office of the Chief Medical Examiner and recommending to the Minister of Justice and Attorney General whether a public fatality inquiry should be held. The board is appointed by the Lieutenant Governor in Council and is composed of a lawyer, a physician and a layperson. Cases reviewed by the board generally include accidental deaths (where recommendations could be made at a public fatality inquiry for the prevention of similar deaths in the future), cases where the cause and manner of death remain undetermined after a complete investigation, and deaths of individuals who are in police custody, in prison, certified under the *Mental Health Act*, or under the Director of Child Welfare's guardianship or in the director's custody.

Judicial Council

The Judicial Council screens individuals to determine if they are qualified for appointment to the Provincial Court of Alberta. The council is granted jurisdiction to deal with complaints against masters, Provincial Court judges and Justices of the Peace. The Minister of Justice and Attorney General appoints two members of this council. The remaining four members are designated under the *Judicature Act*.

Notaries Public Review Committee

The Notaries Public Review Committee advises the Minister of Justice and Attorney General on appointments of lay notaries public. The committee consists of a member of the Law Society of Alberta, a member of the business community and a member of the Ministry, who is the secretary. All are appointed by ministerial order under the *Government Organization Act*. The committee reviews applications for appointment and then provides recommendations to the Minister of Justice and Attorney General.

Provincial Court Nominating Committee

The Provincial Court Nominating Committee provides recommendations to the Minister of Justice and Attorney General on the appointment of individuals to the Provincial Court of Alberta. The committee members are appointed by the Minister of Justice and Attorney General.

Rules of Court Committee

The Rules of Court Committee makes recommendations to the Minister of Justice and Attorney General on the amendments to the Rules of Court made under the *Court of Appeal Act*, the *Court of Queen's Bench Act* or any other act. The committee consists of six members: the Chief Justice of Alberta or designate, the Chief Justice of the Court of Queen's Bench or designate, the Chief Judge of the Provincial Court of Alberta or designate, two members appointed by the Minister of Justice and Attorney General on recommendation of the Law Society of Alberta, and one member appointed by the Minister of Justice and Attorney General.

Department of Justice

Each division provides specific expertise to the justice system. All divisions share responsibility for providing integrated service by partnering with one another, with other Alberta ministries, the judiciary and stakeholder organizations.

Communications

Communications provides strategic communications support and advice to the Minister, Deputy Minister, and department executive management and staff. Communications also informs Albertans about the justice system and department goals, initiatives and achievements.

Corporate Services Division

Corporate Services Division provides strategic advice and services to the Ministry in the areas of business planning and reporting; performance measurement; financial planning and reporting; information technology management; *Freedom of Information and Protection of Privacy Act* administration; records management; contract management; enterprise risk management; emergency management; environmental scanning; capital planning; accommodation projects, and project management. The division also manages the Motor Vehicle Accident Claims program, the Abandoned and Seized Vehicle program, the Fines Enforcement program, the Notaries Public program, the Commissioners for Oaths program and the Documentation Authentication program, as well as providing asset management and disposal services on behalf of the Civil Forfeiture Office.

Court Services Division

Court Services Division provides administrative, planning and technical support to Alberta's three courts: the Court of Appeal of Alberta, the Court of Queen's Bench of Alberta and the Provincial Court of Alberta. The Division develops strategies to provide access to a broad range of services including mediation and other appropriate dispute resolution mechanisms. Court Services also operates Law Information Centres to provide assistance to self-represented litigants, and law libraries to provide legal information to judges, Crown prosecutors, other lawyers and the public.

Criminal Justice Division

The Criminal Justice Division is responsible for the prosecution of persons charged with *Criminal Code of Canada, Youth Criminal Justice Act* and provincial statute offences, and also handles criminal appeals in the Alberta Court of Appeal and the Supreme Court of Canada on behalf of Alberta's Attorney General. Criminal Justice also develops criminal law policy for the province and supports criminal law consultation with other levels of government.

Human Resource Services Division

The Human Resource Services Division provides advisory services and support to Justice Divisions in the areas of staffing, employee/labour relations, organizational design, staff development, performance management, and develops and delivers human resource programs.

Legal Services Division

The Legal Services Division provides legal services to all Government of Alberta ministries and represents them in matters before the courts and tribunals. The Legislative Counsel Office is responsible for drafting government public bills, regulations and Orders in Council. The Public Trustee protects the financial interests of vulnerable Albertans by administering the estates of represented adults, decedents and minors. The Civil Forfeiture Office is tasked with putting the expanded *Victims Restitution and Compensation Payment Act*, and civil forfeiture into effect.

Maintenance Enforcement Program

The Maintenance Enforcement Program ensures that individuals meet their obligations to pay child and spousal support under the terms of their court orders and certain agreements. Alberta has reciprocal agreements for enforcement with 24 countries in addition to Canadian and United States jurisdictions. The Child Support Recalculation Program allows Albertans to have their maintenance orders recalculated without having to return to court.

Medical Examiner's Office

The Medical Examiner's Office investigates all unexplained natural deaths and unnatural deaths in Alberta under the authority of the *Fatality Inquiries Act.* The findings may be used to assist in resolving civil and criminal law matters that often arise after a death.

Safe Communities and Strategic Policy

Safe Communities and Strategic Policy was established to coordinate and implement the recommendations of the Crime Reduction and Safe Communities Task Force including the development of a comprehensive, long-term crime reduction and prevention strategy and support the Ministry by providing policy coordination, development, advice, and research.

Key Factors Influencing Performance

Recognizing trends, identifying new challenges, and being aware of changes in diverse socio-economic sectors are important to setting the Ministry's strategic priorities and addressing justice concerns for Albertans. Many of these opportunities and challenges are complex and involve other stakeholders and jurisdictions. The following factors influence the Ministry in developing and achieving its goals and strategies:

- The Safe Communities Secretariat is leading the development of Alberta's Crime Prevention Framework to increase the safety of our communities and increase the public's confidence in the government's response to crime. In partnership with communities and other ministries, the Secretariat will create innovative and integrated solutions to crime that address risk factors and support protective factors and focuses on awareness, prevention, treatment and enforcement. The Safe Communities Secretariat supports ministries and communities in developing and implementing effective strategies that will reduce and prevent crime.
- The economic recession has affected Albertans in a variety of ways including income loss or reduction. This has increased the number of clients accessing legal services and programs aimed at assisting clients in navigating and participating in the legal system. This has put increased pressure on the Law Information Centres, Alberta Law Society Libraries, Legal Aid Alberta, and Family Justice Services. As the number of self-represented litigants participating in the justice system also increases so do the workloads of court staff and other justice services that assist them with understanding legal processes and documentation. The Ministry faces challenges as it tries to find solutions to meet the growing demand for services and make the justice system more affordable and accessible.
- A number of factors are impacting the role of the court including an increased number of self-represented litigants, overloaded court dockets, increasing costs, decreasing satisfaction with traditional litigation processes, a societal movement toward dispute resolution, and a paradigm shift towards a problem-solving approach to jurisprudence. To address this, the Ministry is working with the judiciary to find alternative methods of dispute resolution.
- To find more efficient and effective ways of achieving the Ministry's objectives Justice has begun streamlining, harmonizing and optimizing court business processes within the Ministry and the Courts as well as implementing new technology to support business processes. There is also a move towards providing justice services through more diverse electronic methods. The Ministry has been investigating and implementing new technology to increase access to resolution options, enhance communication with individuals in remand, and improve court processes.

In times of fiscal restraints, the Ministry faces significant challenges in achieving its goals. Justice continues to be committed to pursuing innovative solutions to support and promote a fair, accessible and responsive justice system.

AUDITOR GENERAL *Alberta*

Review Engagement Report

To the Members of the Legislative Assembly

I have reviewed the performance measures identified as "Reviewed by Auditor General" included in the *Ministry of Justice and Attorney General's 2009-10 Annual Report*. These performance measures are prepared based on the following criteria:

- Reliability – Information agrees with the underlying data and with sources used to prepare it.
- Understandability and Comparability – Actual results are presented clearly and consistently with the stated methodology and presented on the same basis as targets and prior years' information.
- Completeness – performance measures and targets match those included in Budget 2009. Actual results are presented for all measures.

My review was made in accordance with Canadian generally accepted standards for review engagements and, accordingly, consisted primarily of enquiry, analytical procedures and discussion related to information supplied to my Office by the Ministry. My review was not designed to provide assurance on the relevance of these performance measures.

A review does not constitute an audit and, consequently, I do not express an audit opinion on these performance measures.

Based on my review, nothing has come to my attention that causes me to believe that the "Reviewed by Auditor General" performance measures in the Ministry's 2009-10 Annual Report are not, in all material respects, presented in accordance with the criteria of reliability, understandability, comparability, and completeness as described above. However, my review was not designed to provide assurance on the relevance of these performance measures.

Merwan N. Saher

CA
Auditor General

Edmonton, Alberta
September 3, 2010

2009-10 Auditor General Performance Measurement Review Process

In 2009-10, the Auditor General conducted a limited assurance (review) of selected performance measures. The performance measures were selected by Ministry management based on the following criteria established by government:

- ensuring measures that best represent the goal and mandated initiatives;
- measures have well established methodology and reporting of data;
- measures have outcomes over which the government has a greater degree of influence; and
- each goal has at least one reviewed performance measure.

The following five performance measures were selected for review:

- 1.b Public perception of safety in the neighbourhood
- 2.a Median elapsed time from first to last appearance
- 3.a Client satisfaction with the services of the Office of the Public Trustee
- 4.b Public confidence in the justice system
- 5.a Client satisfaction with Legal Services

Performance Measures Summary Table

	Previous Years' Results				Current Result	Target	
Core Business One: Prosecution Service							
Goal 1: Promote safe communities in Alberta							
Public perception of safety in the home: the percentage of Albertans who feel "reasonably safe" to "very safe" in their homes after dark (see Note 1, page 27)	92% (2005-06)	93% (2006-07)	93% (2007-08)	91% (2008-09)	91% (2009-10)	No lower than 90%	✓
◊ **Public perception of safety in the neighbourhood:** the percentage of Albertans who feel "reasonably safe" to "very safe" walking alone in their area after dark (see Note 1, page 27)	72% (2005-06)	75% (2006-07)	75% (2007-08)	73% (2008-09)	78% (2009-10)	82%	✦
Core Business Two: Courts							
Goal 2: Promote a fair and accessible civil and criminal justice system							
◊ **Median elapsed time from first to last appearance:** the median elapsed time from first to last appearance represents the midpoint in the number of days it takes to process a case in court from first to last appearance (see Note 2, page 27)				128 days (2007-08)	120 days (2008-09)	122 days or less	✓
Provincial Court civil mediation settlement rate: the mediation settlement rate is the number of civil actions settled through the Civil Claims Mediation Program divided by the total number of civil actions mediated in the Program (see Note 3, page 27)	65% (2005-06)	63% (2006-07)	65% (2007-08)	59% (2008-09)	63% (2009-10)	63%	✓
Core Business Three: Justice Services to Albertans							
Goal 3: Provide access to justice services for Albertans in need							
◊ **Client satisfaction with the services of the Office of the Public Trustee:** the percentage of clients "satisfied" or "very satisfied" with the services of the Office of the Public Trustee (see Note 4, page 27)	89% (2005-06)	92% (2006-07)	90% (2007-08)	89% (2008-09)	90% (2009-10)	87%	✓
Maintenance Enforcement Program - regularity of payment rate: the program's compliance rate on cases enrolled by regular monthly payment (see Note 5, page 27)		67% (2006-07)	68% (2007-08)	69% (2008-09)	67% (2009-10)	68%	✦
Client satisfaction with Legal Aid services: the percentage of respondents who were either "satisfied" or "very satisfied" with the services they received from Legal Aid Alberta (see Note 6, page 28)	79% (2005-06)	77% (2006-07)	76% (2007-08)	80% (2008-09)	74% (2009-10)	80%	✦
Motor Vehicle Accident Recoveries Program - enforcement progress: the program's enforcement of debt repayment owed by at-fault uninsured motorists compared to payments made to victims (see Note 7, page 28)		52% (2006-07)	79% (2007-08)	62% (2008-09)	84% (2009-10)	70%	✓

	Previous Years' Results				Current Result	Target	
Goal 4: Improve understanding of and confidence in the justice system							
Public understanding of the justice system: the percentage of Albertans who "somewhat agree" or "strongly agree" that they have a good understanding of the justice system in Alberta (see Note 1, page 27)	66% (2005-06)	69% (2006-07)	70% (2007-08)	70% (2008-09)	75% (2009-10)	70%	✓
◊ **Public confidence in the justice system:** the percentage of Albertans who report "some confidence" to "a lot of confidence" in the justice system in Alberta (see Note 1, page 27)	74% (2005-06)	73% (2006-07)	67% (2007-08)	76% (2008-09)	81% (2009-10)	70%	✓
Family Justice Services Seminars: the percentage of Parenting After Separation participants who rate the coverage of seminar topics as "good" or "very good" (see Note 8, page 28)					89% (2009-10)	85%	✓
Core Business Four: Legal and Strategic Services to Government							
Goal 5: Assist government ministries to achieve their objectives through the provision of effective legal and related strategic services							
◊ **Client satisfaction with Legal Services:** the percentage of clients from Government of Alberta ministries "satisfied" or "very satisfied" with the legal services provided by the Legal Services Division, Civil Law (see Note 9, page 28)	93% (2005-06)	90% (2006-07)	88% (2007-08)	91% (2008-09)	o	o	o
Client satisfaction with assistance in meeting corporate goals: the percentage of Government of Alberta ministries "satisfied" or "very satisfied" that the legal services provided by the Legal Services Division, Civil Law, helped them achieve their department's corporate goals (see Note 9, page 28)	89% (2005-06)	87% (2006-07)	87% (2007-08)	89% (2008-09)	o	o	o
Service volume of legal education sessions: the number of legal education sessions provided to Government of Alberta ministries by the Legal Services Division, Civil Law (see Note 10, page 28)				50 (2008-09)	55 (2009-10)	58	✦

✓ Target Met

✦ Target Not Met

◊ Performance measures reviewed by the Auditor General

o No new results are available and no target was set. A biennial survey schedule was adopted in 2009-10 to reduce survey fatigue.

For more detailed information see Sources and Notes in the Results Analysis section of the annual report (pages 27-28) and measures methodology at www.gov.ab.ca/justice.

Discussion and Analysis of Results

Core Business One: Prosecution Service

Goal One: Promote safe communities in Alberta

To promote safe communities in Alberta, Justice is leading the development of a long-term Alberta Crime Prevention Framework to address the approved recommendations from the Crime Reduction and Safe Communities Task Force. The framework will focus on preventing crime by targeting risk factors of criminality, strengthening protective factors, focusing on specific populations with higher rates of risk factors, and identifying strategies to prevent re-offending. In support of this initiative an Alberta Crime Prevention Framework Committee, comprised of representatives from the nine partnering ministries, was established. In 2009-10, the Safe Communities Secretariat reviewed provincial crime trends and identified outcomes for the crime prevention framework. Work continues on the development of the framework which is on target to go to Cabinet by the fall of 2010.

To reduce gang activity, Justice is collaborating with Solicitor General and Public Security, to develop an Alberta Gang Reduction Strategy. The strategy is a blueprint for action on gangs and gang related violence. The strategy was guided by community insight and feedback gathered through a series of community stakeholder meetings in April and May 2009. In June, the Alberta Gang Crime Summit was held in Calgary to identify local priorities and implementation strategies. The Summit resulted in greater community awareness about the impact of gangs in Alberta and has mobilized communities towards increased action. Input provided by community representatives, law enforcement officials, service providers and others was used to develop a provincial Gang Reduction Strategy based on awareness, prevention, intervention and enforcement to reduce gang activity and related violence in the province. The Alberta Gang Reduction Strategy is in its final stages of approval and will be closely aligned with Alberta's Crime Prevention Framework.

In 2009-10, Justice championed a number of innovative legislative initiatives that will help reduce crime, particularly in the area of gang-related activity and organized crime. These legislative initiatives will improve protection for witnesses, restrict gang members from wearing body armour and better compensate municipalities burdened by the costs of crime. Justice has also been working closely with other western provincial Attorney Generals and Solicitor Generals to urge federal legislative reforms such as the passage of an organized crime bill and mandatory minimum penalties for drug trafficking offences. On behalf of the province, the Ministry also strongly supported several key Bills at the federal level that address criminal law reform including new measures to address organized crime and to restrict credit for pre-trial custody, as well as supported important federal legislative initiatives designed to strengthen the criminal law. The following provincial legislative amendments were passed during the fiscal year to address gang activity in Alberta:

- Bill 41, *Gaming and Liquor Amendment Act*, 2009, that gives police the power to exclude or remove gang members from licensed premises;
- Bill 39, *Tobacco Tax Amendment Act*, 2009, strengthens provisions relating to prosecution and enforcement, creates provisions allowing seizure of tobacco

products, increases fines and penalties and clarifies reporting and remittance requirements for tax collectors;

- the Vehicle Equipment Amendment Regulation, under the *Traffic Safety Act*, was passed allowing police to deem armoured vehicles unsafe and order them off the road if strict safety criteria are not met; and
- the *Gunshot and Stab Wound Mandatory Disclosure Act* took effect April 1, 2010, and makes it mandatory for health practitioners to disclose victims of gunshot and stab wounds so that police can take immediate steps to prevent further violence, injury or death.

The Safe Communities Innovation Fund (SCIF) funds community/police and community based crime prevention and crime reduction pilot projects and supports municipalities, regions, Aboriginal communities and agencies to develop crime prevention and crime reduction plans. Sixteen SCIF workshops were delivered between July and September 2009 to educate stakeholders about SCIF grant criteria, the application process, best-practice approaches and evaluation criteria. These sessions were also used to educate communities about developing safe community plans, accessing relevant services and funding opportunities and incorporating evidence based practices to prevent and reduce crime. Thirty pilot projects were selected from across the province for funding through SCIF in 2009-10. Some of the projects implemented through the support of SCIF grants include:

- the Domestic Conflict Response Team in Calgary and the Mentor Connector Response Team in Drayton Valley that brings together local agencies and police to work face-to-face with youth in the community to assist at-risk youth and families;
- a school-based, culturally compatible substance abuse prevention and life skills program being implemented for children and youth in First Nations and Métis communities;
- seven Aboriginal and seven family violence victim support outreach pilot sites; and
- a regional crime prevention plan for Fort McMurray and a three year pilot project based in Fort McMurray to address crime prevention and reduction relevant to the Oil Sands Strategic Plan.

In collaboration with Solicitor General and Public Security, the Ministry has been overseeing the implementation of the Priority Prolific Offender Project. The Project monitors a select group of sixty prolific offenders as they progress through the criminal justice system. The Project focuses on enforcement to ensure that the offender is following the conditions of their release while at the same time, it assists offenders in obtaining services to get the help they need in order to turn their lives around. Ministry representatives sit on the Communication Committee that was established in 2009-10 to develop and disseminate information on the Comprehensive Offender Package to Crown prosecutors. The Package assists the Crown in making recommendations on bail and sentence. Two Justice members also sit on the Business Rules Task Group, which created a start-up process and intake/referral forms, as well as a system for tracking the application process.

The Chief Crown Sexual Assault Committee was reconstituted in May 2009, to review sexual assault offences and implement recommendations to improve the criminal justice response to sexual assault offenses. Existing strategies were reviewed and new strategies were implemented

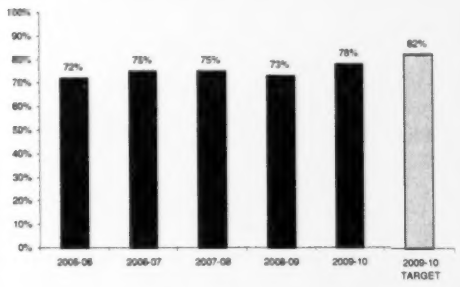
to enhance knowledge of investigating and prosecuting sexual assault offences and raise awareness of the sensitivities necessary for the criminal justice system to deal effectively with these offences.

The Justices of the Peace bail initiative was suspended due to fiscal restraints. As of October 1, 2009, Crown prosecutors are no longer conducting bail matters before Justices of the Peace until resources enable the project to resume.

The Crown file ownership component of the Court Case Management Program was implemented on February 1, 2010. Crown file ownership involves assigning a single prosecutor to a case for the life of the case to implement early and consistent contact between the Crown and the accused, victims, witnesses, and police. The adoption of these procedures has promoted file ownership and accountability over adult criminal files by Crown prosecutors. The Prosecution Information System Manager was also implemented in February 2010. This is a Crown file management system that allows more effective tracking of file assignments and workloads, and helps ensure work is distributed equitably and appropriately.

To enhance the capacity of the Medical Examiner's Office, upgrades to the main autopsy suite in the Calgary morgue were made to reflect current safety standards appropriate to the work environment and mirror those done in the Edmonton morgue, additional technical support for the morgue and administrative support were provided, and funding for a medical investigation professional fee for service is in place.

Public perception of safety in the neighbourhood: *the percentage of Albertans who feel "reasonably safe" to "very safe" walking alone in their area after dark* (Note 1, page 27)



✦ *Target not met*

Source: Alberta Justice 2009-10 Public Opinion Survey, Resinnova Research Inc. and Alberta Solicitor General and Public Security 2009-10 Public Opinion Survey, Resinnova Research Inc.

Notes:

- For methodology related to this performance measure or other Justice performance measures see the Justice website.

- In 2009-10, the majority of Albertans felt (78 per cent) "reasonably safe" to "very safe" walking alone in their neighbourhood or area after dark; a five per cent increase over 2008-09. However, this result falls short of the target of 82 per cent. Nineteen per cent indicated they feel "somewhat unsafe" or "very unsafe" walking alone in their neighbourhood or area after dark.
- The results of this measure have been relatively stable over time, until the recent five percentage point increase between 2008-09 and 2009-10.
- Perceptions of safety in the neighbourhood are shaped by a number of factors including citizens' previous victimization experience, media reports of crime, and the experiences of friends and family.

Core Business Two: Courts

Goal Two: Promote a fair and accessible civil and criminal justice system

To address accessibility and fairness of the criminal justice system in Alberta, the Ministry continued to collaborate with members of the judiciary, Crown and defence to implement the Court Case Management Program. The Program's objective is to develop and implement new and innovative methods to effectively manage criminal matters that are scheduled and disposed of in Edmonton and Calgary adult Provincial Court. Significant progress was made in 2009-10:

- The Remote Court Scheduling initiative also went live on February 22, 2010. This web-based scheduling software provides Crown prosecutors and defence counsel the option of remotely booking cases that fall within the remote scheduling guidelines.
- The "day of" method of scheduling was adopted to ensure that a matter will not be sent to a trial courtroom until it is ready to proceed. Adopting this method of scheduling and movement of files will ensure that only the number of courtrooms, judges, and clerks actually required are used and that Judicial resources are dedicated to meaningful events such as trials, show causes, dispositions, etc.
- Low Complexity Trial Courtrooms, also introduced in February 2010, are designated courtrooms for trials that are deemed by the Crown as requiring less than half a day of court time.
- Provincial Court Judges only appear in court to deal with matters when meaningful (non-administrative) activity occurs. This frees them to focus on substantive legal matters.
- In March 2010, a Justice of the Peace Counter opened in the Calgary courthouse; the Justice of the Peace Counter in the Edmonton courthouse is expected to open in June 2010. The Counter allows administrative and non-contested matters to be dealt with outside of the courtroom, freeing time for the judiciary to address substantive legal matters, and providing defence counsel with additional flexibility when booking their trials.

The New Rules of Court project undertaken by the Alberta Law Reform Institute in 2001 was to conduct a major review and redevelopment of the Alberta Rules of Court. The objective of this project was to create rules that are clear, useful and effective tools for accessing a fair, timely and cost efficient civil justice system. The Ministry, together with the Law Society of Alberta, the Alberta Law Foundation, the Rules of Court Committee and other stakeholders, supported the project by contributing to develop and review the new Rules. The Minister approved, in principle, the recommendations for new Rules of Court from the Alberta Law Reform Institute with some amendments recommended by the Rules of Court Committee. Recommendations for new Family Law rules were approved by the Rules of Court Committee and are now rolled into the draft of the main Rules of Court. Implementation for the new Rules of Court is targeted for November 1, 2010.

In 2009-10, the Ministry worked with key stakeholder groups to examine the feasibility of limited scope retainers and the increased use of paralegals as means to reduce the cost of legal services, thereby increasing access to justice. This included working with Legal Aid Alberta to implement a limited scope retainers pilot project in Provincial Court for family matters; working

with the Law Society of Alberta to compile the "Alternative Delivery of Legal Services Project: Phase I Issues Identification" report; working with Pro Bono Law Alberta to assess the feasibility of a lawyer roster program; participating on the Access to Legal Services Committee, chaired by the Law Society of Alberta; and providing training and information sessions with stakeholders, including the Canadian Bar Association, on the need for, and best practices for, limited scope representation.

The Court Services and Criminal Justice divisions continued to develop a policy framework that includes a broad range of resolution options in consultation with the judiciary and stakeholders. The draft policy framework has been developed and initial consultations with the judiciary and stakeholders occurred this year. Further consultations are needed to gather feedback on the draft framework. The policy framework will be implemented in 2011.

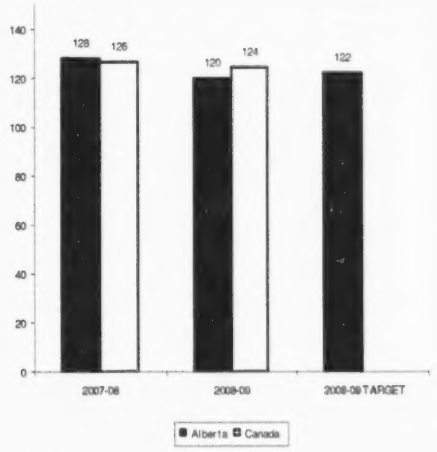
In 2009, the Ministry developed a plan outlining a number of projects that would deliver new capabilities and services within the Ministry and Courts, including opportunities to streamline and optimize business processes. Since the innovation and modernization plan was created, there has been a significant change in project governance, which will likely result in modified goals and direction, necessitating revisions to the plan. The Ministry launched several quick win and foundational projects in 2009-10, including the implementation of new technology in support of improved business processes.

In collaboration with partnering Ministries, stakeholders and partners, the Safe Communities Secretariat began developing and implementing a continuum of services for individuals suffering from a mental illness who come into conflict with the law.

The capacity of the *Victims Restitution and Compensation Payment Act* has been increased with recent amendments to allow local and provincial agencies and other public bodies to recover the economic costs of crime. The Act has also been expanded to allow a wider range of victim programs and crime prevention programs to be funded with proceeds from forfeited property. As a result, the Civil Forfeiture Office will play an increasingly important role in improving community safety through the removal of property used or obtained in the commission of a crime from Alberta communities, and using the proceeds from the forfeited property to fund victims and victims of crime programs.

Work commenced with the four First Nations of Hobbema and other justice and court stakeholders to establish a Provincial Court circuit point in Hobbema including the renovation and lease of an existing facility for a temporary family court and the design of a new facility for a permanent court. In partnership with the Blood Tribe, Infrastructure and Justice commenced work with justice and community stakeholders to establish a Provincial Court circuit point in Stand Off, Alberta to enhance service provision.

Median elapsed time from first to last appearance: *the median elapsed time from first to last appearance represents the midpoint in the number of days it takes to process a case in court from first to last appearance* (Note 2, page 27)



✓ *Target met*

Source: Adult Criminal Court Survey, Canadian Centre for Justice Statistics

Notes:

- Data from Manitoba, Northwest Territories and Nunavut are not included in the Canadian results.
- Due to the change in methodology no new data were released by Statistics Canada in July 2009. The 2007-08 and 2008-09 results were both released in July 2010.
- The target of 122 days or less was set based on the 2006-07 Canadian national median released by the Canadian Centre for Justice Statistics in July 2008. The 2006-07 Canadian national median has since been restated (126 days) due to the methodology change.
- The 2007-08 and 2008-09 Justice Annual Reports indicated that the Median Elapsed Time from First to Last Appearance data included all cases in Provincial Court. The reports should have indicated that the data included adult criminal cases for both Provincial Court and Superior Court.

- The Ministry must ensure that Albertans are provided with access to the courts in a reasonable amount of time.
- In 2008-09, the median elapsed time from first to last appearance was 120 days for adult cases tried at the Provincial Court of Alberta and the Court of Queen's Bench. The target of 122 days or less was met. In 2008-09, there were 56,614 disposed cases; a decrease of 0.6 per cent from the 56,944 disposed cases in 2007-08.
- The Canadian median elapsed time required to dispose of a case in adult criminal courts (for the ten reporting jurisdictions) declined recently. In 2000-01, the Canadian median elapsed time for a case to reach completion in the ten reporting jurisdictions was 101 days, and in 2004-05 it peaked at 128 days. By 2008-09, the Canadian median fell slightly to 124 days.
- In 2007-08, the median elapsed time from first to last appearance was 128 days for adult criminal cases tried at the Provincial Court of Alberta and the Court of Queen's Bench, which is two days over the 2007-08 Canadian median of 126 days. Median elapsed time is affected by various factors including the number of cases, the complexity of cases and police resources. The 2007-08 target of 122 days or less was not met.

Core Business Three: Justice Services to Albertans

Goal Three: Provide access to justice services for Albertans in need

Justice collaborated with the Ministry of Seniors and Community Supports to bring the *Adult Guardianship and Trusteeship Act* into operation on October 30, 2009. The Act updates Alberta's laws on substituted decision-making in personal and financial matters for adults who lack capacity to make decisions because of mental disability.

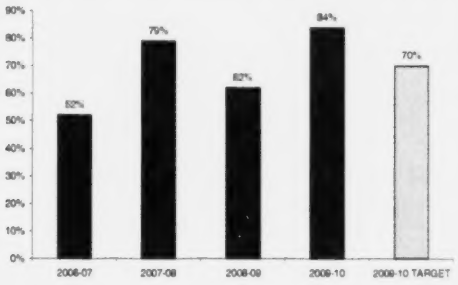
A working group was established, with representatives from Justice, Seniors and Community Supports, Health and Wellness and Service Canada (Canada Pension Plan) to review existing legislation and regulations related to supporting and assisting vulnerable Albertans with limited resources, who are unable to manage their own financial resources and who will not participate in voluntary programs. The working group identified the relevant population, identified the gaps within existing legislation and regulations to deal with this population, and identified potential provisions that might be used to develop a strategy to address their needs.

The Maintenance Enforcement Program undertook a number of initiatives in 2009-10 to increase the regularity of maintenance payments. Changes to policies were made wherein defaulting debtors are subjected to collection action earlier in the life of a file to reduce the amount of arrears debtors accumulate and get them back on track earlier. Changes were also made to enhance the Trace Locate Unit's ability to locate debtors. In May 2009, the Help Us Find website was re-launched to elicit public support in finding debtors who are registered with the Alberta Maintenance Enforcement Program and who have not paid their court-ordered child or spousal support payments for at least six months. The Maintenance Enforcement Program continues to ensure that Collection Officers have the same information and consistently apply policies and procedures while handling client files through the development of a centralized information repository and providing staff training.

The Child Support Recalculation Program was successfully launched in January 2010. The Program is an administrative service that annually recalculates court-ordered child support based on current income tax information, which helps parents keep child support levels in line with income and reduces the amount of court time and expense needed to review their child support orders.

In 2009-10, Justice was to assess whether to recommend that Alberta become a signatory jurisdiction to the Hague Convention on the International Recovery of Child Support and Other Forms of Family Maintenance. The initial review was completed including a review of a paper produced by the federal/provincial/territorial working group analyzing the Hague Convention. The legal analysis of becoming a signatory jurisdiction to the Convention has been delayed due to fiscal restraints.

Motor Vehicle Accident Recoveries Program - Enforcement Progress: *the program's enforcement of debt repayment owed by at-fault uninsured motorists compared to payments made to victims** (Note 7, page 28)



✓ *Target met*

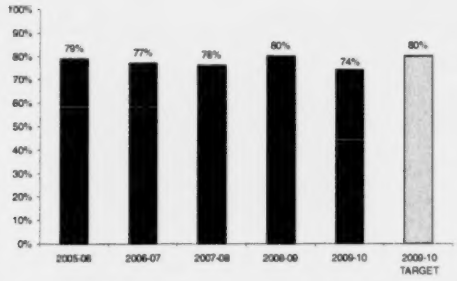
Source: IMAGIS Accounting System and Motor Vehicle Accident Claims Administrative Data

Notes:

- * The title of the measure has been adjusted from "Motor Vehicle Accident Recoveries Program: Collection Rate" to "Motor Vehicle Recoveries Program: Enforcement Progress". The description of the measure has also been adjusted from "the program's collection rate on debts owed by uninsured motorists" to "the program's enforcement of debt repayment owed by at-fault uninsured motorists compared to payments made to victims". This is to clarify the intensions of the measure to monitor the Ministry's enforcement efforts and progress on debt repayments made by at-fault motorists compared to payments made to victims.
- This performance measure has been removed from the 2010-13 Justice Business Plan.
- For methodology related to this performance measure or other Justice performance measures see the Justice website.

- Under the *Motor Vehicle Accident Claims Act*, the Ministry of Justice compensates victims of motor vehicle accidents for their personal injuries where the at-fault party is either uninsured or unknown. In most situations, these victims would have no other means of seeking compensation were it not for this program. In cases where the defendant is known but uninsured, once the civil lawsuit is settled that person becomes a debtor to the Government for the monies paid out to the victim. It is the role of Motor Vehicle Accident Recoveries program to ensure that the debtor repays the judgment debt in full.
- The Motor Vehicle Accident Claims and Recoveries Program focuses on enforcing repayments of debts owed by at-fault uninsured motorists, and compensating victims of uninsured motor vehicle accidents. This measure helps the program area monitor their efforts and progress.
- In 2009-10, results increased as a result of a large decrease in claim payments to victims which offset a smaller decrease in repayment of debts by debtors. The decrease in debt repayment is likely due to the economy which has impacted debtors' ability to make payments. The sharp drop in claim payments to victims coupled with an increase in write-offs from deceased debtor accounts in 2009-10 was not anticipated. It is believed that many plaintiffs were deferring settlement of their claims until the cap decision was made by the Supreme Court of Canada. Now that the decision has been rendered, claim submissions are expected to rise to normal levels in 2010-11.

Client satisfaction with Legal Aid Services: *the percentage of respondents who were either "satisfied" or "very satisfied" with the services they received from Legal Aid Alberta*
(Note 6, page 28)



✦ *Target not met*

Source: Client Satisfaction Survey, Legal Aid Alberta

Notes:

- For methodology related to this performance measure or other Justice performance measures see the Justice website.

- In 2009-10, 74% of Legal Aid Alberta clients were either "satisfied" or "very satisfied" with the services they received from Legal Aid Alberta. The target of 80% was not met.
- Recipients of legal aid expressed a higher level of satisfaction compared to non-recipients (those who did not receive legal aid) (85% and 45% respectively).
- The significant contributor to the decrease in results from 80 per cent in 2008-09 to 74 per cent in 2009-10 was found in those who did not receive services from Legal Aid Alberta. Due to the reduction of non-governmental funding in 2009-10, Legal Aid Alberta was less flexible with their discretion in approving applications. Those who in the past typically would have been approved were not last year which created a significant level of dissatisfaction.

Goal Four: Improve understanding of and confidence in the justice system

To improve understanding and confidence in the justice system, a variety of strategies were put in place to enhance the communication and dissemination of information to the public, build stakeholder relations through engagement activities, and improve justice education through the development of new resources and educational sessions.

To ensure that Albertans receive timely and accurate information on Ministry's initiatives and activities, a number of tools are used including news releases, media events, information bulletins, updates on the Justice website, and public announcements. A public information campaign and community engagement plan was developed to profile the Safe Communities Initiative. Some of the strategies from the plan have been implemented, including two events that were held to mark the one year anniversary of *Alberta's Victims Restitution and Compensation Payment Act*, the production of pamphlets to highlight innovative activities and programs in Alberta communities, rolling the announcement of grant funding for projects being supported by the Safe Communities Initiative Fund, utilizing the Government of Alberta Twitter and Blog site with safe communities updates, the Canadian Bar Association Town Hall meetings, and the Safe Communities Showcase held on November 3, 2009, to celebrate the achievements and progress made by some of the innovative projects being funded through the Safe Communities Initiative.

The Justice Internet is updated on a continuous basis to provide Albertans with access to timely, accurate and relevant justice information. Notable accomplishments include the development of the Safe Communities Innovation Fund website to assist Albertans in completing grant applications under the Fund, the addition of an interactive tool for the Maintenance Enforcement Program website that enables Albertans to help find defaulting debtors who owe child or spousal support to their families, and the development of the child support website that informs Albertans about child support and provides parents with a tool to calculate how much it costs to ensure children get what they need on a monthly basis.

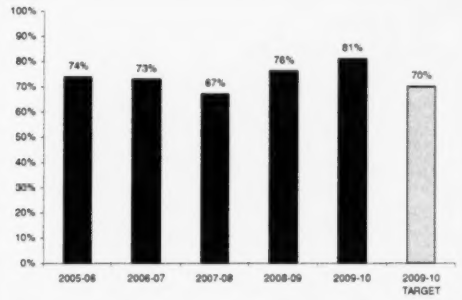
An evaluation framework and logic models were developed for some projects that fall under the Safe Communities Initiative to guide the monitoring and measurement of the Initiative. In 2009-10, the project's scope was expanded beyond the Safe Communities funded projects to include evaluation of Alberta's Crime Prevention Framework, Alberta's Gang Reduction Strategy, the Safe Communities Secretariat, the Safe Communities Task Force report recommendations, and the Safe Communities Innovation Fund Grant Program. The evaluation framework is scheduled to be completed in 2010-11.

Justice continues to offer a Parenting After Separation Program to assist parents in understanding the process and effects of separation and to encourage parents to make positive choices about how they will continue to parent their children after separation. The program is a free six-hour workshop that is offered at 21 sites across the province. Results from participant surveys continue to demonstrate high levels of satisfaction with the seminars.

Seven hundred and fifty Albertans were surveyed in March 2010 as part of the annual Alberta Justice Public Opinion Survey. This survey has been carried out since 1996 to gauge Albertans' perceptions of safety, confidence in the justice system, and obtain their feedback on Justice's programs and services. New questions were added to the survey in 2009-10 to measure satisfaction with access to, and usefulness of, Ministry website information as well as satisfaction with Ministry service delivery. Key survey questions are reported to the public through the

performance measures section of this annual report. The survey results are also used to inform policy and planning activities within the Ministry.

Public confidence in the justice system: *the percentage of Albertans who report "some confidence" to "a lot of confidence" in the justice system in Alberta* (Note 1, page 27)



✓ Target met

Source: Alberta Justice 2009-10 Public Opinion Survey, Resinnova Research Inc.

Notes:

- For methodology related to this performance measure or other Justice performance measures see the Justice website.

- Most Albertans (81 per cent) have a lot (21 per cent) or some (60 per cent) confidence in the justice system in Alberta. A minority (18 per cent) indicated they have very little or no confidence at all in the system. The target of 70% was exceeded.
- Public confidence is often related to a variety of factors including the respondent's age, gender, level of education, previous contact with the justice system, history of victimizations, and satisfaction with personal safety.
- The 2009-10 results show that, when compared to respondents who do not have confidence in the justice system, respondents with confidence in the justice system have much higher confidence that: crime is being reduced, in the fairness of the judicial process, the needs of victims of crime are being met, and that the criminal justice system is effective in bringing people to justice. These four aspects are the four main "drivers" of overall confidence in the justice system.

Core Business Four: Legal and Strategic Services to Government

Goal Five: Assist government ministries to achieve their objectives through the provision of effective legal and related strategic services

By providing effective legal and related strategic services, Justice can assist other ministries in achieving their corporate goals and strategic priorities. In 2009-10, the Ministry provided legal and related strategic advice to other ministries to advance the following government priorities:

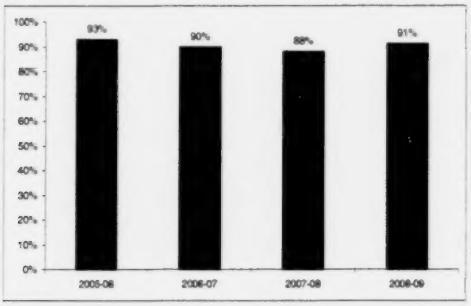
- The Ministry assisted Energy to enact the amendments to the natural gas and petroleum royalty regulations to implement transitional royalty rates for the 2009 Alberta Royalty Framework. In addition, two new regulations were developed to stimulate oil and gas activity in Alberta: New Well Royalty Reduction Regulation and Drilling Royalty Credit Regulation. All regulations were drafted by Justice on schedule.
- The Health Law Team provided support on various initiatives, including *Vision 2010,* the Minister's Advisory Committee on Health, the Alberta Pharmaceutical Strategy, as well as the pandemic preparedness and response activities in regard to the H1N1 influenza. In addition a number of regulations were developed in support of the *Health Information Amendment Act* and the *Emergency Health Services Act.*
- The Environmental Law team assisted Environment and Sustainable Resource Development in the completion of an initial phase of regulation development associated with the *Alberta Land Stewardship Act* consequential amendments to the *Forests Act* and *Public Lands Act* that came into force on April 1, 2010 and amendments to a number of existing regulations principally directed at changing the decision-maker for certain decisions from the minister to directors. These consequential amendments support the *Land-Use Framework.*
- Through various initiatives, the Aboriginal Law Team has enhanced the Government's capacity to deal with complex Aboriginal litigation, including claims relating to natural resources and challenges to the regulatory system for natural resource development. This included delivering workshops on Aboriginal consultations to government officials; the development of a dedicated website for major litigation cases; and the hiring of two support staff to enhance the capacity of the Aboriginal Law Team.

To support the review and possible revision of Alberta's First Nations Consultation Policy on Land Management and Resource Development, a sub-table to receive input from First Nations on the Consultation Policy review was established in December 2009 under the Government to Government Protocol Agreement between Alberta and the First Nations of Treaty 6, 7 and 8. Legal and related strategic advice was provided to Alberta's representatives on the sub-table. The Ministry also continues to provide legal and strategic advice to the Aboriginal Consultation Coordination Group.

Every year the Legal Services Division provides legal education sessions to client ministries to assist them in achieving their objectives. In 2009-10, legal education sessions were held for clients in the departments of Children and Youth Services, Infrastructure, Transportation, Environment, Health and Wellness, Employment and Immigration as well as clients within other divisions of Justice. A new evaluation survey was developed and implemented for clients

attending the legal educational sessions to provide feedback on the legal education services received. The evaluations and comments provided will be used by the Legal Services Division to adjust course content and continually improve upon the services provided.

Client satisfaction with Legal Services: *the percentage of client ministries "satisfied" or "very satisfied" with the legal services provided by the Legal Services Division, Civil Law*
(Note 9, page 28)



Source: Client Satisfaction Survey, Legal Services Division

Notes:

- The results for this measure are obtained from a biennial survey, which was last conducted in 2008-09. No new results are available and no target was set for 2009-10.
- For methodology related to this performance measure or other Justice performance measures see the Justice website.

- The results of this survey assist Justice in assessing success in delivering effective legal services to government.
- In 2008-09, 91 per cent of clients surveyed responded that they were "satisfied" or "very satisfied" with the legal services provided by Legal Services Division, Civil Law. This represented a three percentage point increase from the previous year's result.
- On a more detailed level, client satisfaction ranged between 77 per cent and 96 per cent on various areas ranging from responsiveness, practicality of advice, thoroughness and courtesy.
- The increase in satisfaction may be a result of increased capacity for dealing with complex legal issues. During 2008-09, Civil Law was active in recruiting to those areas where client demands for legal services increased dramatically, such as Aboriginal Litigation and Public Private Partnerships.

Sources and Notes

1. **Public perception of safety in the home, Public perception of safety in the neighbourhood, Public understanding of the justice system, and Public confidence in the justice system**

   Source: Alberta Justice 2009-10 Public Opinion Survey and Alberta Solicitor General and Public Security 2009-10 Public Opinion Survey

   Note(s): To survey a random and representative sample of adult Albertans, quotas were established based on 2006 census data from Statistics Canada. Resinnova Research Inc. (previously known as Research Innovations) is the third party consultant that has conducted the surveys.

2. **Median elapsed time from first to last appearance**

   Source: Adult Criminal Court Survey, Canadian Centre for Justice Statistics (CCJS)

   Note(s): Represents the mid-point in elapsed time between first and last appearance for all adult criminal cases processed in Provincial and Superior Court. In Alberta this is the Provincial Court of Alberta and the Court of Queen's Bench. Alberta Justice provides annual data from the Justice Online Information Network to CCJS' Adult Criminal Court Survey through an automated interface. At CCJS, the data are edited, verified and signed off with the Ministry.

3. **Provincial court civil mediation settlement rate**

   Source: Administrative data, Court Services Division

   Note(s): The settlement rate is a percentage of all scheduled cases resolved. This is a blended rate for Calgary, Edmonton, Grande Prairie, Lethbridge, Medicine Hat, Red Deer, Wetaskiwin, and Camrose.

4. **Client satisfaction with the services of the Office of the Public Trustee**

   Source: Client Satisfaction Survey, Office of the Public Trustee

   Note(s): After the release of the 2009-12 Alberta Justice business plan, the Public Trustee's Office changed its name to the Office of the Public Trustee. The performance measure's title has been adjusted to reflect the name change. Client satisfaction with the services of the Office of the Public Trustee is assessed using internally conducted client satisfaction surveys. The measure is calculated as a composite of responses to various questions relating to satisfaction with responsiveness and quality of services provided.

5. **Maintenance Enforcement Program – Regularity of Payment Rate**

   Source: Administrative Data, Maintenance Enforcement Program

   Note(s): This measure shows the amount of regular maintenance collected as a percentage of the regular maintenance due. The result is calculated on a monthly basis by dividing the amount of regular maintenance collected in a month by the amount of regular maintenance due in that month. The annual result is an average of the monthly results.

6. **Client satisfaction with Legal Aid services**

Source: Client Satisfaction Survey, Legal Aid Alberta

Note(s): To gather opinions on legal aid services, Legal Aid Alberta conducted a telephone survey with legal aid applicants. Prairie Research Associates Inc. is the third party consultant that has conducted the survey.

7. **Motor Vehicle Accident Recoveries Program – Enforcement Progress**

Source: Administrative Data, Corporate Services Division

Note(s): The title of the performance measure has been adjusted from "Motor Vehicle Accident Recoveries Program: Collection Rate" to "Motor Vehicle Recoveries Program: Enforcement Progress". The description of the measure has also been adjusted from "the program's collection rate on debts owed by uninsured motorists" to "the program's enforcement of debt repayment owed by at-fault uninsured motorists compared to payments made to victims". This is to clarify the intentions of the measure to monitor the Ministry's enforcement efforts and progress on debt repayments made by at-fault motorists compared to payments made to victims. It is calculated as a percentage by dividing the amount of repayments at-fault motorists made by the amount of compensation paid to victims in the same year.

8. **Family Justice Services Seminars**

Source: Administrative Data, Court Services Division

Note(s): To gather feedback on Parenting After Separation Sessions, participants are asked to fill out a questionnaire following the education session. An average score for all session topics is calculated for the performance measure. The description of the performance measure was revised from "the percentage of Parenting After Separation participants who rate the coverage of seminar topics as "good" or "excellent"" to "the percentage of Parenting After Separation participants who rate the coverage of seminar topics as "good" or "very good"" to reflect the wording used in the Parenting After Separation Survey questionnaire.

9. **Client satisfaction with Legal Services and Client satisfaction with assistance in meeting corporate goals**

Source: Client Satisfaction Survey, Legal Services Division

Note(s): Client satisfaction is measured by an internally administered client survey. As of 2009-10, the survey is being conducted every second year to reduce survey fatigue. No survey was conducted in 2009-10, therefore there is no 2009-10 result or target.

10. **Service volume to legal education sessions**

Source: Administrative Data, Legal Services Division

Note(s): This is the number of legal education sessions provided to Government of Alberta Ministries by the Legal Services Division. Sessions are provided throughout the year on a variety of topics. Sessions are initiated by Alberta Justice or at the request of a client Ministry.

Anti-Terrorism Act

Section *83.31* of the *Criminal Code of Canada* requires the Attorney General of Alberta to publish an annual report on the operation of those parts of the Act dealing with investigative hearings and recognizance with conditions.

This constitutes the annual report of the Attorney General of Alberta covering the period from December 24, 2008 to December 24, 2009.

I. Report on the Operation of Sections 83.28 and 83.29

(Investigative Hearing)

The Attorney General of Alberta reports that there were no applications initiated under these sections of the *Criminal Code of Canada*. As such, there is no data to report in relation to the reporting requirements under paragraphs 83.31(1)(a) to (c) of the *Criminal Code of Canada*.

II. Report on the Operation of Section 83.3

(Recognizance with Conditions)

The Attorney General of Alberta reports that there were no cases initiated under this section of the *Criminal Code of Canada*. As such, there is no data to report in relation to the reporting requirements in paragraphs 83.31(2)(a) to (f) of the *Criminal Code of Canada*.

Financial Highlights by Core Business

(in thousands)

	2009-10 Budget	2009-10 Actual	2008-09 Actual
Prosecution Service	84,430	78,980	74,585
Courts	180,669	170,445	175,034
Justice Services to Albertans	174,958	165,170	154,094
Legal and Strategic Services to Government	45,525	35,454	38,306
MINISTRY EXPENSE	**485,582**	**450,049**	**442,019**

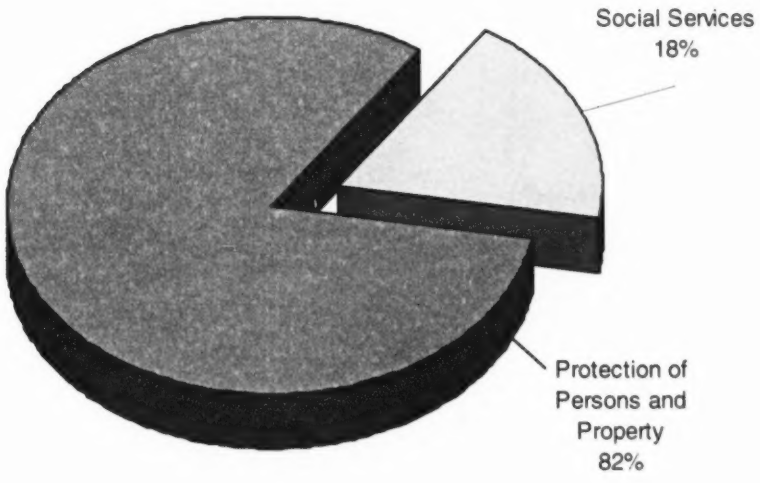
The Ministry's overall expenses were $450 million, $35.5 million less than the approved budget of $485.5 million. The $35.5 million surplus is primarily due to cost reduction savings implemented across the ministry for administration and discretionary spending, as well as in manpower due to the government hiring freeze.

Actual expenditures increased by eight million dollars from the previous year mainly due to increased Safe Communities Innovation Fund grant payments, as well as additional resources for the prosecution service and the provincial court. These resources were used to protect the public, support safer communities and respond to volumes and complexity of court cases.

Expense by Function
(in thousands)

	2009-10 Budget	2009-10 Actual	2008-09 Actual
Protection of Persons and Property	405,586	367,904	358,822
Social Services	79,996	82,145	83,197
TOTAL EXPENSE BY FUNCTION	**485,582**	**450,049**	**442,019**

2009-10 Actual Expense by Function ($450 million)



Protection of Persons and Property
Includes expenses for services provided to ensure the security of persons and property through the courts, regulatory measures and other protection of persons and property. This function includes Court Services, Legal Services, Public Trustee, Medical Examiner and Ministry Support Services Programs.

Social Services
Covers actions taken by the government either alone or in cooperation with Albertans, to offset or to forestall situations when the well-being of individuals or families is threatened by circumstances beyond their control. This includes the provision of legal aid and motor vehicle accident claims.

Financial Information

MINISTRY OF JUSTICE

FINANCIAL STATEMENTS

YEAR ENDED MARCH 31, 2010

Auditor's Report		33
Statements of Operations		34
Statements of Financial Position		35
Statements of Cash Flows		36
Notes to the Financial Statements		37
Schedules to the Financial Statements		46
Schedule 1	Revenues	46
Schedule 2	Credit or Recovery	47
Schedule 3	Expenses – Directly Incurred Detailed by Object	48
Schedule 4	Budget	49
Schedule 5	Comparison of Expenses – Directly Incurred, Equipment/Inventory Purchases and Statutory Expenses by Element to Authorized Budget	50
Schedule 6	Salary and Benefits Disclosure	55
Schedule 7	Related Party Transactions	56
Schedule 8	Allocated Costs	57

AUDITOR GENERAL *Alberta*

Auditor's Report

To the Members of the Legislative Assembly

I have audited the statements of financial position of the Ministry of Justice as at March 31, 2010 and 2009 and the statements of operations and cash flows for the years then ended. These financial statements are the responsibility of the Ministry's management. My responsibility is to express an opinion on these financial statements based on my audits.

I conducted my audits in accordance with Canadian generally accepted auditing standards. Those standards require that I plan and perform an audit to obtain reasonable assurance whether the financial statements are free of material misstatement. An audit includes examining, on a test basis, evidence supporting the amounts and disclosures in the financial statements. An audit also includes assessing the accounting principles used and significant estimates made by management, as well as evaluating the overall financial statement presentation.

In my opinion, these financial statements present fairly, in all material respects, the financial position of the Ministry as at March 31, 2010 and 2009 and the results of its operations and its cash flows for the years then ended in accordance with Canadian generally accepted accounting principles.

Merwan N. Saher CA
Auditor General

Edmonton, Alberta
June 11, 2010

Ministry of Justice
Statements of Operations
Year ended March 31

(in thousands)

	2010 Budget (Schedule 4)	2010 Actual	2009 Actual
Revenues (Schedule 1)			
Transfers from the Government of Canada	$ 13,050	$ 13,430	$ 13,149
Investment Income	800	240	838
Premiums, Fees and Licences	39,708	40,769	39,715
Other Revenue	118,335	111,478	113,460
	171,893	165,917	167,162
Expenses – Directly Incurred (Note 2(b) and Schedule 8)			
Voted (Schedules 3 and 5)			
Ministry Support Services	26,192	19,635	24,465
Court Services	181,048	174,682	172,385
Legal Services	170,134	149,624	134,616
Support for Legal Aid	53,810	53,810	53,810
Public Trustee	15,283	14,536	14,549
Medical Examiner	12,080	9,143	8,021
	458,547	421,430	407,846
Statutory (Schedules 3 and 5)			
Motor Vehicle Accident Claims	26,186	23,532	25,934
Valuation Adjustments			
(Recovery of) Provision for Doubtful Accounts	200	(1,141)	2,365
Provision for Vacation Pay	649	1,854	2,803
Increase in Motor Vehicle Accident Claims Liabilities	-	4,374	3,071
	27,035	28,619	34,173
	485,582	450,049	442,019
Net Operating Results	$ (313,689)	$ (284,132)	$ (274,857)

The accompanying notes and schedules are part of these financial statements.

Ministry of Justice
Statements of Financial Position
As at March 31

(in thousands)

	2010	2009
Assets		
Cash (Note 3)	$ 8,689	$ 7,596
Accounts Receivable (Note 4)	92,344	88,675
Advances	25	27
Tangible Capital Assets (Note 5)	19,915	26,040
	$ 120,973	$ 122,338
Liabilities		
Accounts Payable and Accrued Liabilities	$ 123,041	$ 114,606
Unearned Revenue	1,469	1,383
	124,510	115,989
Net Assets		
Net Assets at Beginning of Year	6,349	49,902
Net Operating Results	(284,132)	(274,857)
Net Financing Provided from General Revenues	274,246	231,304
Net (Liabilities) Assets at End of Year	(3,537)	6,349
	$ 120,973	$ 122,338

The accompanying notes and schedules are part of these financial statements.

Ministry of Justice
Statements of Cash Flows
Year ended March 31

(in thousands)

	2010	2009
Operating Transactions		
Net Operating Results	$ (284,132)	$ (274,857)
Non-cash items included in Net Operating Results		
Amortization	8,079	7,503
Valuation Adjustments	5,087	8,239
	(270,966)	(259,115)
(Increase) Decrease in Accounts Receivable	(2,528)	255
Decrease in Advances	2	2
Increase in Accounts Payable and Accrued Liabilities	2,207	7,015
Increase in Unearned Revenue	86	64
Cash Applied to Operating Transactions	(271,199)	(251,779)
Capital Transactions		
Acquisition of Tangible Capital Assets	(1,954)	(4,333)
Cash Applied to Capital Transactions	(1,954)	(4,333)
Financing Transactions		
Net Financing Provided from General Revenues	274,246	231,304
Cash Provided by Financing Transactions	274,246	231,304
Increase (Decrease) in Cash	1,093	(24,808)
Cash at Beginning of Year	7,596	32,404
Cash at End of Year	$ 8,689	$ 7,596

The accompanying notes and schedules are part of these financial statements.

MINISTRY OF JUSTICE
NOTES TO THE FINANCIAL STATEMENTS

Note 1 Authority and Purpose

The Ministry of Justice operates under the authority of the *Government Organization Act*, Chapter G-10, Revised Statutes of Alberta 2000. The Department of Justice is the sole entity for which the Minister of Justice and Attorney General has been designated as responsible for various acts by the *Government Organization Act* and its regulations.

The Ministry's purpose is to serve Albertans by promoting safe communities, by ensuring access to the courts and other methods of dispute resolution, by providing legal and related strategic services to the Government of Alberta, and by communicating with Albertans about the administration of justice.

Note 2 Summary of Significant Accounting Policies and Reporting Practices

These financial statements are prepared primarily in accordance with Canadian generally accepted accounting principles for the public sector as recommended by the Public Sector Accounting Board (PSAB) of the Canadian Institute of Chartered Accountants. The PSAB financial statements presentation standard for government summary financial statements has been modified to more appropriately reflect the nature of the departments.

(a) Reporting Entity

The reporting entity is the Ministry of Justice, which consists of the Department of Justice for which the Minister of Justice and Attorney General is accountable. These financial statements include the activities of the Motor Vehicle Accident Claims program (a statutory appropriation).

All departments of the Government of Alberta operate within the General Revenue Fund (the Fund). The Fund is administered by the Minister of Finance and Enterprise. All cash receipts of departments are deposited into the Fund and all cash disbursements made by departments are paid from the Fund. Net Financing Provided from General Revenues is the difference between all cash receipts and all cash disbursements made.

(b) Basis of Financial Reporting

Revenues
All revenues are reported on the accrual basis of accounting except for payments on Motor Vehicle Accident Claims judgment debts and Maintenance Enforcement fees, penalties and subrogated revenues, which are recorded when received. Revenues for Motor Vehicle Accident Claims fees are reported when the service has been rendered. Cash received for which goods or services have not been provided by year end is recorded as unearned revenue.

Note 2 Summary of Significant Accounting Policies and Reporting Practices (Cont'd)

(b) Basis of Financial Reporting (Cont'd)

Transfers from the Government of Canada

Transfers from the Government of Canada are recognized as revenue when authorized by federal legislation or federal/provincial agreements, eligibility criteria, if any, are met and a reasonable estimate of the amounts can be made.

Credit or Recovery

Credit or Recovery initiatives provide a basis for authorizing spending. Credits or Recoveries are shown in the details of the Government Estimates for a supply vote. If budgeted revenues are not fully realized, spending is reduced by an equivalent amount. If actual credit or recovery amounts exceed budget, the Department may, with the approval of the Treasury Board, use the excess to fund additional expenses of the program. Schedule 2 discloses information on the Department's credit or recovery initiatives.

Expenses

Directly Incurred

Directly incurred expenses are those costs the Ministry has primary responsibility and accountability for, as reflected in the Government's budget documents.

In addition to program operating expenses such as salaries, supplies, etc., directly incurred expenses also include:

- amortization of tangible capital assets.
- pension costs, which are the cost of employer contributions during the year.
- valuation adjustments which include changes in the valuation allowances used to reflect financial assets at their net recoverable or other appropriate value. Valuation adjustments also represent the change in management's estimate of future payments arising from obligations relating to vacation pay, guarantees and indemnities.

Grants are recognized as expenses when authorized, eligibility criteria and conditions, if any, are met and a reasonable estimate of the amounts can be made.

Incurred by Others

Services contributed by other entities in support of the Ministry's operations are not recognized and are disclosed in Schedule 7 and allocated to programs in Schedule 8.

Note 2 Summary of Significant Accounting Policies and Reporting Practices (Cont'd)

(b) Basis of Financial Reporting (Cont'd)

Assets
Financial assets are assets that could be used to discharge existing liabilities or finance future operations and are not for consumption in the normal course of operations. Financial assets of the Ministry are limited to financial claims, such as advances to and receivables from other organizations, employees and other individuals.

Assets acquired by right are not included. Tangible capital assets of the Ministry are recorded at historical cost and amortized on a straight-line basis over the estimated useful lives of the assets. The threshold for capitalizing new systems development is $250,000 and the threshold for major systems enhancements is $100,000. The threshold for all other tangible capital assets is $5,000.

Liabilities
Liabilities are recorded to the extent that they represent obligations as a result of events and transactions occurring prior to the end of the fiscal year. The settlement of liabilities will result in sacrifice of economic benefits in the future.

Net (Liabilities) Assets
Net (liabilities) assets represent the difference between the carrying value of assets held by the Ministry and its liabilities.

Measurement Uncertainty
(in thousands)

Measurement uncertainty exists when there is a variance between the recognized or disclosed amount and another reasonably possible amount.

Included in accounts receivable, recorded as $92,344 in these financial statements, are fines of $56,215 (2009 - $54,176) that are subject to measurement uncertainty. Accounts receivable excludes certain outstanding federal statute and provincial statute fines that are expected to be satisfied by means other than cash payment. The other means include participation in the fine option program or time served in a correctional institution at the option of the person owing the fine. Outstanding fines expected to be satisfied by other means of $8,213 (2009 - $6,605) is based on the actual percentage satisfied in this manner from April 1, 2009 to March 31, 2010 and have been deducted from total outstanding fines. Changes in the proportion of fines satisfied by other means may have a material effect on future operating results.

Accounts payable and accrued liabilities, recorded as $123,041 in these financial statements, is subject to measurement uncertainty. Accrued liabilities include an estimate of $59,820 (2009 - $55,312) for unsettled claims under the Motor Vehicle Accident Claims program based on a calculated settlement value per claim. Changes to the settlement value may have a material effect on future operating results (Note 8).

Note 2 **Summary of Significant Accounting Policies and Reporting Practices (Cont'd)**

(b) **Basis of Financial Reporting (Cont'd)**

Valuation of Financial Assets and Liabilities
Fair value is the amount of consideration agreed upon in an arm's length transaction between knowledgeable, willing parties who are under no compulsion to act.

The fair values of cash, accounts receivable, advances, and accounts payable and accrued liabilities are estimated to approximate their carrying values because of the short term nature of these instruments.

Note 3 **Cash**

Cash consists of demand deposits in the Consolidated Cash Investment Trust Fund (CCITF). The CCITF is managed by the Ministry of Finance and Enterprise with the objective of providing competitive interest income to depositors while maintaining appropriate security and liquidity of depositors' capital. The portfolio is comprised of high quality short-term and mid-term fixed-income securities with a maximum term-to-maturity of three years. As at March 31, 2010, securities held by the CCITF have a time-weighted return of 1.0% per annum (2009 - 3.0% per annum).

Note 4 **Accounts Receivable**
(in thousands)

	2010			2009
	Gross Amount	Allowance for Doubtful Accounts	Net Realizable Value	Net Realizable Value
Government of Canada	$ 4,872	$ -	$ 4,872	$ 6,454
Fines - Provincial	22,065	1,585	20,480	19,148
Fines - Federal	16,808	1,773	15,035	13,372
Ticket Processing	17,342	847	16,495	15,771
Fines - Late Payment Penalty	19,997	1,678	18,319	17,357
Other	20,409	3,266	17,143	16,573
	$ 101,493	$ 9,149	$ 92,344	$ 88,675

Accounts receivable are unsecured and non-interest bearing.

Note 5 Tangible Capital Assets
(in thousands)

	Equipment*	Computer Hardware and Software	2010 Total	2009 Total
Estimated Useful Life	10 years	5 – 10 years		
Historical Costs				
Beginning of year	$ 9,313	$ 46,380	$ 55,693	$ 51,813
Additions	266	1,688	1,954	4,333
Disposals, including write-downs	(83)	(18)	(101)	(453)
	$ 9,496	$ 48,050	$ 57,546	$ 55,693
Accumulated Amortization				
Beginning of year	$ 5,016	$ 24,637	$ 29,653	$ 22,603
Amortization expense	714	7,365	8,079	7,503
Effect of disposals	(83)	(18)	(101)	(453)
	$ 5,647	$ 31,984	$ 37,631	$ 29,653
Net Book Value at March 31, 2010	$ 3,849	$ 16,066	$ 19,915	
Net Book Value at March 31, 2009	$ 4,297	$ 21,743		$ 26,040

*Equipment includes office equipment and furniture, and other equipment.

Excluded from the Ministry's computer hardware and software at March 31, 2010 is $3,106 for the Justice Innovation & Modernization (JIMS) initiative. These costs were transferred to and included in the Ministry of Service Alberta's financial statements as work-in-progress at March 31, 2010.

Note 6 Contractual Obligations
(in thousands)

Contractual Obligations are obligations of the Ministry to others that will become liabilities in the future when the terms of those contracts or agreements are met.

	2010	2009
Obligations under operating leases, contracts and programs	$ 41,107	$ 24,156
	$ 41,107	$ 24,156

Estimated payment requirements for each of the next five years and thereafter are as follows:

Obligations Under Operating Leases, Contracts and Programs

	Total
2010-11	$ 28,757
2011-12	11,072
2012-13	707
2013-14	398
2014-15	173
	$ 41,107

Note 7 **Contingent Liabilities**
(in thousands)

At March 31, 2010, the Ministry is a defendant in twenty seven legal claims (2009 – twenty five legal claims). Twenty one of these claims have specified amounts totaling $968,256 and the remaining six have no specified amount (2009 – twenty three claims with a specified amount of $1,019,012 and two with no specified amount). Included in the total legal claims are seven claims totaling $919,507 (2009 - five claims totaling $941,300) in which the Ministry has been jointly named with other entities. Seventeen claims totaling $959,263 (2009 – twenty two claims totaling $1,001,032) are covered by the Alberta Risk Management Fund.

The resulting loss, if any, from these claims cannot be determined.

Within the provision of the *Public Trustee Act* the Office of the Public Trustee remits unclaimed estate monies, which is reported as general revenue of the Department. If entitled beneficiaries are subsequently located, previously unclaimed estate monies are distributed to the beneficiaries.

Note 8 **Motor Vehicle Accident Claims Program**
(in thousands)

Personal Injury Settlements

The Motor Vehicle Accident Claims Program is a publicly administered program that pays for judgments arising from motor vehicle accidents involving uninsured or unidentified vehicles in Alberta. The program operates under the authority of the *Motor Vehicle Accident Claims Act*. At March 31, 2010, there were one thousand five hundred and fifty two (2009 - one thousand five hundred and thirty nine) unsettled motor vehicle accident claims under this program amounting to $177,182 (2009 - $170,165). Of the unsettled claims, it was estimated that approximately $59,820 (2009 - $55,312) may arise from court ordered judgments and has been recorded as a liability.

The *Motor Vehicle Accident Claims Act* states that in order for claimants involved in motor vehicle accidents with uninsured or unidentified vehicles to be entitled to compensation, the Minister of Justice must receive a court judgment. In accordance with the Act, liabilities for personal injury claims are accrued when a court ordered judgment is received. Liabilities for motor vehicle accident claims amounting to $612 at March 31, 2010 (2009 - $703) are included in the total claim expenditures of $24,057 (2009 - $27,023), which includes tangible capital asset purchases of $525 (2009 - $1,089) acquired to support the operations of the Motor Vehicle Accident Claims Program.

Supplementary Medical and Rehabilitation Expenses

The estimated liability for supplementary medical and rehabilitation expenses on approved applications filed up to March 31, 2010, is $4,481 (2009 - $4,615) and has been recorded as a liability. As at March 31, 2010, the maximum amount that may be payable to or on behalf of entitled applicants pursuant to the limits set in Section 17 of the *Motor Vehicle Accident Claims Act* was approximately $10,116 (2009 - $10,441).

Note 9 Trust Funds Under Administration
(in thousands)

The Ministry administers trust funds that are regulated funds consisting of public money over which the Legislature has no power of appropriation. Because the Province has no equity in the funds and administers them for the purpose of various trusts, they are not included in the Ministry's financial statements.

As at March 31, 2010 trust funds under administration were as follows:

	2010	2009
Public Trustee Trust (a)	$ 531,914	$ 524,432
Various Court Offices Trust (b)	99,384	100,748
Maintenance Enforcement Trust (c)	8,111	9,133
Solicitors Trust (d)	32,157	194
	$ 671,566	$ 634,507

(a) The Office of the Public Trustee administers the estates of dependent adults, decedents and minors. Trust fund receipts exceeded trust fund disbursements and income adjustments in 2009-2010 by $7,482 (2009 - $25,225). The major sources of receipts and income include pensions and similar receipts, investment income, and acquisition and sale of client estates. Significant disbursements include beneficiary distributions, client care and maintenance payments, release of client assets, and fees and taxes paid on behalf of clients. The Office of the Public Trustee administers other estate assets consisting of client owned securities and investments, real estate holdings, accounts receivable, and personal property and other assets totaling $102,833 as at March 31, 2010 (2009 - $97,371). These assets are valued at fair value at the date the office obtains custody or nominal value when fair value is not readily determinable. Client liabilities as at March 31, 2010 in the amount of $25,061 (2009 - $23,986) are comprised of accounts, mortgages and notes payable, and estate administration fees payable to the Public Trustee. These liabilities are recorded at nominal value where actual value is not readily determinable.

(b) The various court offices receive and disburse payments for fines, bail and other payments involving civil litigants. Trust fund disbursements exceeded trust fund receipts in 2009-2010 by $1,364 (2009 - trust fund receipts exceeded trust fund disbursements by $22,718).

(c) The Maintenance Enforcement Program receives and disburses court ordered maintenance and child support. Trust fund disbursements exceeded trust fund receipts in 2009-2010 by $1,022 (2009 - trust fund receipts exceeded trust fund disbursements by $1,457).

(d) The Solicitors Trust is comprised of civil law funds held in trust and monies collected under the *Victims Restitution and Compensation Payment Act*. Total funds held in trust at March 31, 2010 included $31,641 (2009 - $194) of civil law funds and $516 (2009 - $0) of *Victims Restitution and Compensation Payment Act* funds. Trust fund receipts exceed trust fund disbursements in 2009-2010 by $31,963 (2009 - $1).

Note 10 Payments Under Agreement

(in thousands)

The Ministry has entered into agreements to deliver programs and services that are fully funded by the Government of Northwest Territories (GNWT) and the Government of Canada (Justice Canada). Costs under these agreements are incurred by the Ministry under authority in Section 25 of the *Financial Administration Act*. Accounts receivable includes $13 (2009 - $19) from the GNWT and $68 (2009 - $54) from Justice Canada relating to payments under agreement.

The agreement with the GNWT is for services provided by the Medical Examiner's Office. Services include examination of remains, medico-legal autopsy, toxicology analysis, and expert testimony in court or at a coroner's inquest.

The agreement with Justice Canada is for enhanced French language training in order to prepare Alberta Provincial Court judges to sit on the Itinerant Francophone Provincial Court Bench.

Amounts paid under agreements with program sponsors are as follows:

	2010	2009
GNWT – Medical Examiner Services	$ 13	$ 19
Justice Canada – Enhanced French Language Training	68	54
	$ 81	$ 73

Note 11 Benefit Plans

(in thousands)

The Ministry participates in the multi-employer Management Employees Pension Plan and Public Service Pension Plan. The Ministry also participates in the multi-employer Supplementary Retirement Plan for Public Service Managers. The expense for these pension plans is equivalent to the annual contributions of $24,154 for the year ended March 31, 2010 (2009 - $20,404).

At December 31, 2009, the Management Employees Pension Plan reported a deficiency of $483,199 (2008 - deficiency $568,574) and the Public Service Pension Plan reported a deficiency of $1,729,196 (2008 - deficiency $1,187,538). At December 31, 2009, the Supplementary Retirement Plan for Public Service Managers had a deficiency of $39,516 (2008 - deficiency $7,111).

The Ministry participates in the Provincial Judges and Masters in Chambers Pension Plan. The expenses for this pension plan are $9,371 for the year ended March 31, 2010 (2009 - $7,627).

The Ministry also participates in two multi-employer Long Term Disability Income Continuance Plans. At March 31, 2010, the Bargaining Unit Plan reported an actuarial deficiency of $8,335 (2009 - deficiency $33,540) and the Management, Opted Out and Excluded Plan an actuarial surplus of $7,431 (2009 - deficiency $1,051). The expense for these two plans is limited to employer's annual contributions for the year.

Note 12 Comparative Figures

Certain 2009 figures have been reclassified to conform to the 2010 presentation.

Note 13 Approval of Financial Statements

The financial statements were approved by the Senior Financial Officer and the Deputy Minister and Deputy Attorney General.

Ministry of Justice
Schedules to Financial Statements
Revenues
Year ended March 31

Schedule 1

(in thousands)

	2010		2009
	Budget	**Actual**	**Actual**
Transfers from the Government of Canada			
Legal Aid	$ 10,679	$ 11,010	$ 10,679
Other	2,371	2,420	2,470
	13,050	13,430	13,149
Investment Income - Bank Interest	800	240	838
Premiums, Fees and Licences			
Court Fees	14,060	16,077	15,127
Motor Vehicle Accident Claims Fee	20,140	19,244	18,905
Public Trustee Fees	5,005	4,874	5,066
Other	503	574	617
	39,708	40,769	39,715
Other Revenue			
Fines	70,000	66,390	68,186
Maintenance Enforcement Program	14,825	13,552	13,376
Fines – Late Payment Penalty	17,000	18,285	18,239
Motor Vehicle Accident Recoveries	9,500	8,014	8,824
Miscellaneous	7,010	5,237	4,835
	118,335	111,478	113,460
Total Revenues	$ 171,893	$ 165,917	$ 167,162

Ministry of Justice
Schedule to Financial Statements
Credit or Recovery
Year ended March 31

Schedule 2

(in thousands)

2010

	Authorized	Actual (a)	(Shortfall) / Excess	
Ticket Processing (b)	$ 28,412	$ 27,348	$ (1,064)	
Provincial Civil Claims (c)	900	1,251	351	
Maintenance Enforcement (d)	5,700	4,702	(998)	
	$ 35,012	$ 33,301	$ (1,711)	(e)

(a) Revenues from credit or recovery initiatives are included in the Ministry's revenues in the Statements of Operations and Schedule 1.

(b) Ticket Processing revenues represent the Province's share of ticket revenue designated towards all expenditures in Court Services, Criminal Justice and Corporate Services incurred in the processing and handling of violation tickets.

(c) Provincial Civil Claims revenues represent amounts received from the public for filing civil claims in excess of seven thousand five hundred dollars in Provincial Court. These revenues are dedicated towards the costs of processing these claims.

(d) Maintenance Enforcement revenues represent deterrent penalties and service fees to promote timely payment of maintenance to improve and expand services available for clients.

(e) Shortfall is deducted from current year's authorized budget, as disclosed in Schedules 4 and 5.

Ministry of Justice
Schedules to Financial Statements
Expenses – Directly Incurred Detailed by Object
Year ended March 31

Schedule 3

(in thousands)

	2010		2009
	Budget	**Actual**	**Actual**
Voted			
Salaries, Wages and Employee Benefits	$ 298,656	$ 283,962	$ 264,596
Supplies and Services	77,660	57,089	72,923
Grants	74,638	72,227	62,496
Financial Transactions and Other	278	507	329
Amortization of Tangible Capital Assets	7,315	7,645	7,502
	$ 458,547	$ 421,430	$ 407,846
Statutory			
Salaries, Wages and Employee Benefits	$ 2,402	$ 2,563	$ 2,472
Supplies and Services	2,087	2,399	2,407
Financial Transactions and Other	21,266	18,136	21,054
Amortization of Tangible Capital Assets	431	434	1
Valuation Adjustments			
(Recovery of) Provision for Doubtful Accounts	200	(1,141)	2,365
Provision for Vacation Pay	649	1,854	2,803
Increase in Motor Vehicle Accident Claims Liabilities	-	4,374	3,071
	$ 27,035	$ 28,619	$ 34,173

Ministry of Justice
Schedule to Financial Statements
Budget
Year ended March 31

Schedule 4

(in thousands)

	2009-2010 Estimates	Adjustment	2009-2010 Authorized Budget
Revenues			
Transfers from the Government of Canada	$ 13,050	$ -	$ 13,050
Investment Income	800	-	800
Premiums, Fees and Licences	39,708	-	39,708
Other Revenue	118,335	-	118,335
	171,893	-	171,893
Expenses – Directly Incurred			
Voted Expenses			
Ministry Support Services	26,192	-	26,192
Court Services	181,048	-	181,048
Legal Services	170,134	-	170,134
Support for Legal Aid	53,810	-	53,810
Public Trustee	15,283	-	15,283
Medical Examiner	12,080	-	12,080
Credit or Recovery Shortfall (Schedule 2)	-	(1,711)	(1,711)
	458,547	(1,711)	456,836
Statutory Expenses			
Motor Vehicle Accident Claims	26,186	-	26,186
Valuation Adjustments			
Provision for Doubtful Accounts	200	-	200
Provision for Vacation Pay	649	-	649
	27,035	-	27,035
	485,582	-	483,871
Net Operating Results	$ (313,689)	$ (1,711)	$ (311,978)
Equipment/Inventory Purchases	$ 3,706	$ -	$ 3,706

Ministry of Justice
Schedule to Financial Statements
Comparison of Expenses – Directly Incurred, Equipment/Inventory Purchases (EIP) and Statutory Expenses by Element to Authorized Budget
Year ended March 31

Schedule 5

(in thousands)

SUMMARY	2009-2010 Estimates	Adjustments	2009-2010 Authorized Budget	2009-2010 Actual	Unexpended (Over Expended)
Voted Expense and Equipment/Inventory Purchases (EIP)					
1 Ministry Support Services	$ 26,333	$ -	$ 26,333	$ 19,635	$ 6,698
2 Court Services	181,804	-	181,804	175,487	6,317
3 Legal Services	170,658	-	170,658	150,180	20,478
4 Support for Legal Aid	53,810	-	53,810	53,810	-
5 Public Trustee	16,893	-	16,893	14,536	2,357
6 Medical Examiner	12,155	-	12,155	9,211	2,944
Credit or Recovery Shortfall (Schedule 2)	-	(1,711)	(1,711)	-	(1,711)
	$ 461,653	$ (1,711)	$ 459,942	$ 422,859	$ 37,083
Statutory Expense and Equipment/Inventory Purchases (EIP)					
Motor Vehicle Accident Claims	$ 26,786	$ -	$ 26,786	$ 24,057	$ 2,729
Valuation Adjustments	849	-	849	5,087	(4,238)
	$ 27,635	$ -	$ 27 635	$ 29,144	$ (1,509)
Operating Expense	$ 458,547	$ (1,711)	$ 456,836	$ 421,430	$ 35,406
Statutory Expense	27,035	-	27,035	28,619	(1,584)
Equipment/Inventory Purchases (EIP)	3,706	-	3,706	1,954	1,752
	$ 489,288	$ (1,711)	$ 487,577	$ 452,003	$ 35,574

Ministry of Justice
Schedule to Financial Statements
Comparison of Expenses – Directly Incurred, Equipment/Inventory Purchases (EIP) and Statutory Expenses by Element to Authorized Budget
Year ended March 31

Schedule 5 (Cont'd)

(in thousands)

Voted Expense and Equipment/Inventory Purchases (EIP)		2009-2010 Estimates	Adjustments	2009-2010 Authorized Budget	2009-2010 Actual	Unexpended (Over Expended)
1	**MINISTRY SUPPORT SERVICES**					
1.0.1	Minister's Office	$ 638	$ -	$ 638	$ 546	$ 92
1.0.2	Deputy Minister's Office	685	-	685	568	117
1.0.3	Communications	534	-	534	428	106
1.0.4	Corporate Services					
	- Expense	14,953	-	14,953	13,680	1,273
	- Equipment/Inventory Purchases (EIP)	141	-	141	-	141
1.0.5	Human Resources	3,877	-	3,877	3,338	539
1.0.6	Management Information Services	4,463	-	4,463	584	3,879
1.0.7	Policy Secretariat	1,042	-	1,042	491	551
		$ 26,333	$ -	$ 26,333	$ 19,635	$ 6,698
2	**COURT SERVICES**					
2.1	**Program Support**					
2.1.1	Program Support Services					
	- Expense	$ 23,603	$ -	$ 23,603	$ 22,291	$ 1,312
	- Equipment/Inventory Purchases (EIP)	714	-	714	805	(91)
2.1.2	Chief Provincial Judge's Office	2,798	-	2,798	3,422	(624)
2.1.3	Law Libraries	4,467	-	4,467	4,289	178
2.1.4	Ticket Processing	28,412	-	28,412	30,283	(1,871)
2.1.5	Provincial Civil Claims	900	-	900	2,415	(1,515)
2.1.6	Aboriginal Court Worker Program	3,964	-	3,964	3,862	102
2.1.7	Civil Mediation	2,236	-	2,236	1,588	648
2.1.8	Law Information Centres	863	-	863	876	(13)
		$ 67,957	$ -	$ 67,957	$ 69,831	$ (1,874)

Ministry of Justice
Schedule to Financial Statements
Comparison of Expenses – Directly Incurred, Equipment/Inventory Purchases (EIP) and Statutory Expenses by Element to Authorized Budget
Year ended March 31

Schedule 5 (Cont'd)

(in thousands)

Voted Expense and Equipment/Inventory Purchases (EIP)		2009-2010 Estimates	Adjustments	2009-2010 Authorized Budget	2009-2010 Actual	Unexpended (Over Expended)
2.2	**Calgary Court Operations**					
2.2.1	Calgary Court of Queen's Bench	$ 9,901	$ -	$ 9,901	$ 10,028	$ (127)
2.2.2	Calgary Provincial Courts					
	- Expense	25,006	-	25,006	22,913	2,093
	- Equipment/Inventory Purchases (EIP)	32	-	32	-	32
2.2.3	Calgary Family Justice Services	3,107	-	3,107	2,660	447
2.2.4	Calgary Operations Support	1,932	-	1,932	1,913	19
		$ 39,978	$ -	$ 39,978	$ 37,514	$ 2,464
2.3	**Edmonton Court Operations**					
2.3.1	Edmonton Court of Queen's Bench	$ 9,337	$ -	$ 9,337	$ 9,013	$ 324
2.3.2	Edmonton Provincial Courts	21,203	-	21,203	19,020	2,183
2.3.3	Edmonton Family Justice Services	3,207	-	3,207	2,758	449
2.3.4	Edmonton Operations Support	2,490	-	2,490	2,371	119
2.3.5	Alberta Review Board	265	-	265	298	(33)
		$ 36,502	$ -	$ 36,502	$ 33,460	$ 3,042
2.4	**Regional Court Operations**					
2.4.1	Lethbridge Courts	$ 4,578	$ -	$ 4,578	$ 4,435	$ 143
2.4.2	Red Deer Courts	4,290	-	4,290	4,304	(14)
2.4.3	Grande Prairie Courts	2,211	-	2,211	1,967	244
2.4.4	Peace River Courts	1,697	-	1,697	1,993	(296)
2.4.5	Wetaskiwin Courts	1,684	-	1,684	1,441	243
2.4.6	Fort McMurray Courts	2,006	-	2,006	1,669	337
2.4.7	St. Paul Courts	2,043	-	2,043	1,937	106
2.4.8	Drumheller Courts	524	-	524	375	149
2.4.9	Medicine Hat Courts	1,587	-	1,587	1,688	(101)
2.4.10	Regional Provincial Courts	7,637	-	7,637	6,096	1,541
2.4.11	Regional Family Justice Services	2,449	-	2,449	2,110	339
2.4.12	Regional Operations Support	1,473	-	1,473	1,441	32
		$ 32,179	$ -	$ 32,179	$ 29,456	$ 2,723

Ministry of Justice
Schedule to Financial Statements
Comparison of Expenses – Directly Incurred, Equipment/Inventory Purchases (EIP) and Statutory Expenses by Element to Authorized Budget
Year ended March 31

Schedule 5 (Cont'd)

(in thousands)

Voted Expense and Equipment/Inventory Purchases (EIP)		2009-2010 Estimates	Adjustments	2009-2010 Authorized Budget	2009-2010 Actual	Unexpended (Over Expended)
2.5	**Court of Appeal**					
2.5.1	Court of Appeal					
	- Expense	$ 5,178	$ -	$ 5,178	$ 5,226	$ (48)
	- Equipment/Inventory Purchases (EIP)	10	-	10	-	10
		$ 5,188	$ -	$ 5,188	$ 5,226	$ (38)
		$ 181,804	$ -	$ 181,804	$ 175,487	$ 6,317
3	**LEGAL SERVICES**					
3.0.1	Law Reform	$ 400	$ -	$ 400	$ 400	$ -
3.0.2	Legislative Counsel	2,371	-	2,371	2,015	356
3.0.3	Civil Law					
	- Expense	40,584	-	40,584	31,509	9,075
	- Equipment/Inventory Purchases (EIP)	24	-	24	25	(1)
3.0.4	Criminal Justice	76,795	-	76,795	72,795	4,000
3.0.5	Maintenance Enforcement					
	- Expense	20,656	-	20,656	19,783	873
	- Equipment/Inventory Purchases (EIP)	500	-	500	531	(31)
3.0.6	Safe Communities	29,328	-	29,328	23,122	6,206
		$ 170,658	$ -	$ 170,658	$ 150,180	$ 20,478
4	**SUPPORT FOR LEGAL AID**					
4.0.1	Legal Aid Plan	$ 53,810	$ -	$ 53,810	$ 53,810	$ -
		$ 53,810	$ -	$ 53,810	$ 53,810	$ -

Ministry of Justice
Schedule to Financial Statements
Comparison of Expenses – Directly Incurred, Equipment/Inventory Purchases (EIP) and Statutory Expenses by Element to Authorized Budget
Year ended March 31

Schedule 5 (Cont'd)

(in thousands)

Voted Expense and Equipment/Inventory Purchases (EIP)	2009-2010 Estimates	Adjustments	2009-2010 Authorized Budget	2009-2010 Actual	Unexpended (Over Expended)
5 PUBLIC TRUSTEE					
5.0.1 Public Trustee					
- Expense	$ 15,283	$ -	$ 15,283	$ 14,536	$ 747
- Equipment/Inventory Purchases (EIP)	1,610	-	1,610	-	1,610
	$ 16,893	$ -	$ 16,893	$ 14,536	$ 2,357
6 MEDICAL EXAMINER					
6.0.1 Medical Examiner					
- Expense	$ 12,080	$ -	$ 12,080	$ 9,143	$ 2,937
- Equipment/Inventory Purchases (EIP)	75	-	75	68	7
	$ 12,155	$ -	$ 12,155	$ 9,211	$ 2,944
Credit or Recovery Shortfall (Schedule 2)	$ -	$ (1,711)	$ (1,711)	$ -	(1,711)
	$ 461,653	$ (1,711)	$ 459,942	$ 422,859	$ 37,083

Statutory Expense and Equipment/Inventory Purchases (EIP)	2009-2010 Estimates	Adjustments	2009-2010 Authorized Budget	2009-2010 Actual	Unexpended (Over Expended)
Motor Vehicle Accident Claims					
- Expense	$ 26,186	$ -	$ 26,186	$ 23,532	$ 2,654
- Equipment/Inventory Purchases (EIP)	600	-	600	525	75
Valuation Adjustments	849	-	849	5,087	(4,238)
	$ 27,635	$ -	$ 27,635	$ 29,144	$ (1,509)

Ministry of Justice
Schedules to Financial Statements
Salary and Benefits Disclosure
Year ended March 31

Schedule 6

	2010				2009
	Base Salary[1]	Other Cash Benefits[2]	Other Non-Cash Benefits[3]	Total	Total
Senior Official					
Deputy Minister[4]	$ 264,069	$ -	$ 63,738	$ 327,807	$ 366,112
Executives					
Assistant Deputy Ministers					
Legal Services	196,375	-	47,553	243,928	258,548
Court Services	185,117	-	43,232	228,349	254,293
Criminal Justice	196,375	-	49,547	245,922	273,195
Corporate Services	185,117	-	45,389	230,506	247,789
Safe Communities and Strategic Policy[5]	121,625	-	31,512	153,137	-

Prepared in accordance with Treasury Board Directive 12/98 as amended.

(1) Base salary includes pensionable base pay.

(2) Other cash benefits include vacation payouts and lump sum payments. There were no bonuses paid in 2010.

(3) Other non-cash benefits include the government's share of all employee benefits and contributions or payments made on behalf of employees including pension and supplementary retirement plan, health care, dental coverage, group life insurance, short and long term disability plans, professional memberships and tuition fees.

(4) Automobile provided, no dollar amount included in other non-cash benefits figure.

(5) The positions of Executive Director, Policy Secretariat and Executive Lead, Safe Communities were combined to create an Assistant Deputy Minister position in August 2009.

Ministry of Justice
Schedules to Financial Statements
Related Party Transactions
Year ended March 31
(in thousands)

Schedule 7

Related parties are those entities consolidated or accounted for on a modified equity basis in the Province of Alberta's financial statements. Related parties also include management in the Ministry.

The Ministry and its employees paid or collected certain taxes and fees set by regulation for premiums, licences and other charges. These amounts were incurred in the normal course of business, reflect charges applicable to all users, and have been excluded from this Schedule.

The Ministry had the following transactions with related parties recorded on the Statements of Operations and the Statements of Financial Position at the amount of consideration agreed upon between the related parties:

	Other Entities	
	2010	2009
Expenses – Directly Incurred		
Service Alberta	$ 7,586	$ 8,576
Other Services	6	4
	$ 7,592	$ 8,580

At March 31, 2010 the Ministry recorded accounts receivable from Service Alberta for Motor Vehicle Accident Claims (MVAC) fees and Abandoned and Seized Vehicle fines on the Statement of Operations and Statement of Financial Position of $1,974 (2009 - $1,743). The Ministry also included an outstanding deposit from Service Alberta of $7,950 (2009 - $6,742) in the Various Court Offices Trust as at March 31, 2010.

The Ministry also had the following transactions with related parties for which no consideration was exchanged. The amounts for these related party transactions are estimated based on the costs incurred by the service provider to provide the service. These amounts are not recorded in the financial statements but are disclosed in Schedule 8.

	Other Entities	
	2010	2009
Revenues		
Legal Services	$ 27,409	$ 30,284
	$ 27,409	$ 30,284
Expenses – Incurred by Others		
Accommodation	$ 65,586	$ 63,579
Service Alberta	8,564	8,455
Other Services	336	429
	$ 74,486	$ 72,463

Ministry of Justice
Schedules to Financial Statements
Allocated Costs
Year Ended March 31
(in thousands)

Schedule 8

	2010							2009
		Expenses Incurred by Others		Valuation Adjustments (3)				
Program	Expenses (1)	Accommodation Costs (2)	Service Alberta and Other Services	Vacation Pay	Doubtful Accounts	Motor Vehicle Accident Claims Liability	Total Expenses	Total Expenses
Voted								
Ministry Support Services	$ 19,635	$ 1,718	$ 8,900	$ (95)	$ -	$ -	$ 30,158	$ 28,853
Court Services	174,682	51,791	-	114	(1,572)	-	225,015	224,897
Legal Services	149,624	9,260	-	1,647	-	-	160,531	141,710
Support for Legal Aid	53,810	67	-	-	-	-	53,877	53,866
Public Trustee	14,536	1,351	-	102	-	-	15,989	16,281
Medical Examiner	9,143	1,210	-	88	-	-	10,441	10,018
	$ 421,430	$ 65,397	$ 8,900	$ 1,856	$ (1,572)	$ -	$ 496,011	$ 475,625
Statutory								
Motor Vehicle Accident Claims	$ 23,532	$ 189	$ -	$ (2)	$ 431	$ 4,374	$ 28,524	$ 26,902
	$ 444,962	$ 65,586	$ 8,900	$ 1,854	$ (1,141)	$ 4,374	$ 524,535	$ 502,527

(1) Expenses-Directly Incurred as per Statements of Operations, excluding valuation adjustments.
(2) Costs shown for Accommodation on Schedule 7, allocated by square footage.
(3) Valuation Adjustments as per Statements of Operations. Provision for Vacation Pay and Provision for Doubtful Accounts included in Valuation Adjustments were allocated as follows:
- Vacation Pay – allocated to the program by employee,
- Doubtful Accounts – estimated allocation to program.

Other Information

The following information is unaudited.

Statement of Compromises and Write-offs 59

Civil Law Legal Services Delivery 60

Fine Activity Information 61

Fine Collection Cost Estimates 62

Statement of Compromises and Write-offs
For the Year Ended March 31, 2010
(Unaudited)

(in thousands)

The following Statement of Compromises and Write-offs has been prepared pursuant to Section 23 of the *Financial Administration Act*. The statement includes all compromises and write-offs that the Ministry of Justice made or approved during the fiscal year.

Compromises:		
Motor Vehicle Accident Recoveries	$	147
	$	147
Write-offs:		
Fines	$	3,351
Fines – Late Payment Penalty		1,577
Abandoned and Seized Vehicles		167
Maintenance Enforcement Program		346
	$	5,441
Total Compromises and Write-offs	$	5,588

Civil Law Legal Services Delivery
Current and Prior Year Comparison
(Unaudited)

Staff Providing Services

Civil Law provides legal and related strategic services to all government ministries. Civil Law maintains a time keeping system to enable its lawyers, paralegals and articling students to record and report the hours of legal services provided in total to each Ministry and their respective programs. In 2009/10, 188 lawyers, paralegals and articling students recorded in excess of 242,000 hours of provided legal services and in 2008/09, 192 such staff recorded more than 231,000 hours. The total hours of service to each Ministry is used as the basis to allocate legal services costs.

Cost of Legal Services

The costing methodology to estimate the costs for providing legal services for allocation to all client ministries includes the total cost of Civil Law less expenditures on contracted services and grants to third parties. A proportionate amount for support services provided by Corporate Services and Human Resource Services is included in the estimate. The estimate includes accommodation costs for office space in government owned or leased buildings as paid by and reported by the Ministry of Infrastructure, and also includes all or part of salary and benefit costs for lawyers paid directly by client ministries. The estimated costs are allocated to each Ministry based on the hours of service received. The Ministry of Justice, as a service provider, sends the legal services cost information to each Ministry for disclosure in the Related Party Transactions Schedule and the Allocated Costs Schedule to the financial statements of each ministry's annual report.

Client Satisfaction Rate

The Client Satisfaction Rate is based on a survey of client ministries. However, no survey was conducted in 2009/10 due to the implementation of a biennial survey schedule. In 2008/09, the percentage of client ministries who were *satisfied* to *very satisfied* with the legal services provided was 91 per cent. This performance measure is fully described under Goal 5 in this annual report.

Current and Prior Year Comparison

The table below summarizes the estimated cost of allocated legal services, the number of hours allocated, the average hourly cost and the client satisfaction rate.

Cost Estimates	2009/10	2008/09
Total Civil Law Costs	$ 31,504,054	$ 33,214,404
Deduct Contract Services, Grants, and Amortization	169,622	295,494
	$ 31,334,432	$ 32,918,910
Add: Support Services	1,497,948	1,690,236
Accommodation	1,292,182	1,181,175
Client Cost for Lawyers	4,073,410	3,072,254
Total Legal Services Costs for Allocation	$ 38,197,972	$ 38,862,575
Number of Hours of Service Provided	242,105	231,952
Average Hourly Cost	$ 157.77	$ 167.55
Client Satisfaction Rate	N/A	91%

Fine Activity Information
(Unaudited)

Federal and Provincial Statute Offences and Municipal Bylaw Offences

A management information report summarizes fine activity by the recipients entitled to the fine or penalty revenue. The municipalities receive specific provincial statute offence fines and all municipal bylaw fines for offences occurring within municipal boundaries. The majority of municipal fine activity occurs in cities, towns, counties and municipal districts. The Alberta government receives fine revenue for provincial statute offences occurring on primary highways and other specific provincial statute offences. The Alberta government receives any late payment penalties on overdue fines and some fines under the *Criminal Code of Canada* and retains 16 2/3% of *Traffic Safety Act* fines. The Victims of Crime Fund, administered by Alberta Solicitor General and Public Security, receives a 15 per cent surcharge on all provincial statute fines and a surcharge on selective federal statute offences. These surcharge revenues are used to fund victims programs in Alberta. The federal government receives fine revenue for federal statute offences and selective fines under the *Criminal Code*.

The tables below summarize fines payments for the twelve months from April 2009 to March 2010 and for the twelve months from April 2008 to March 2009 by the recipient level of government.

Fine Payments – April 2009 to March 2010

Recipient	Number of Fine Payments		Dollar Value of Fine Payments	Percent of Total Dollar Value
Municipalities	1,349,189	$	122,807,757	52.7%
Alberta Government	235,549		38,812,433	16.6%
Victims of Crime Fund	Note		25,252,719	10.8%
Federal Government	2,679		2,548,627	1.1%
Late Payment Penalty	651,037		17,214,874	7.4%
Fine Retention	Note		26,549,964	11.4%
Total	2,238,454	$	233,186,374	100.0%

Fine Payments – April 2008 to March 2009

Recipient	Number of Fine Payments		Dollar Value of Fine Payments	Percent of Total Dollar Value
Municipalities	1,270,029	$	117,525,940	52.7%
Alberta Government	231,834		36,740,836	16.4%
Victims of Crime Fund	Note		24,519,627	11.0%
Federal Government	2,395		2,128,317	1.0%
Late Payment Penalty	606,611		16,291,088	7.3%
Fine Retention	Note		25,851,965	11.6%
Total	2,110,869	$	223,057,773	100.0%

Note: The Number of Fine Payments for Victims of Crime Fund and Fine Retention have been accounted for in the other recipient categories.

Fine Collection Cost Estimates
(Unaudited)

Overview

Costing methodologies have been developed to estimate the cost of collecting a provincial statute fine and the cost of collecting a federal statute (*Criminal Code* and other) fine. The estimated cost of collecting a provincial statute fine is related to the number of violation tickets received by all Provincial Court offices in Alberta. The estimated cost of collecting a federal statute fine is related to the approximate number of Fine Orders in all Provincial Court offices. The estimated costs are those incurred by Alberta Justice in Court Services, Criminal Justice and Corporate Services programs.

Estimated Cost of Collecting a Provincial Statute Fine – 2009/10 and 2008/09

There were 1.750 million violation tickets received by all Provincial Court offices in 2009/10 and 1.674 million in 2008/09. The major cost components for Court Services are the Calgary and Edmonton Provincial Traffic Courts, ticket processing costs in the Regional Provincial Courts and the cost of violation ticket printing and direct general and regional overhead expenditures. Criminal Justice costs include paralegal prosecutors and support staff and first appearance centres in Calgary and Edmonton. Corporate Services costs are for the operation and maintenance of the Justice Online Information Network (JOIN) system applicable to violation tickets and for postage and handling of the Notice of Conviction mail-outs.

The table below summarizes the provincial statute and municipal bylaw fine payments received and the cost for violation tickets received by all provincial courts.

		2009/10	2008/09
Total Provincial Statute and Municipal Bylaw Payments Received			
Provincial Acts - Fine and Surcharge		$ 186,814,134	$ 181,975,178
Municipal Bylaw		14,025,198	12,219,877
Late Payment Penalty		17,214,874	16,291,088
Total Violation Ticket Payments	A	$ 218,054,206	$ 210,486,143
Cost for Violation Tickets Received by All Courts			
Total Estimated Cost	B	$ 30,283,009	$ 28,559,123
Cost per Dollar Collected	(B/A)	$ 0.14	$ 0.14

Estimated Cost of Collecting a Federal Statute Fine – 2009/10 and 2008/09

There were 30,545 Fine Orders in all Provincial Court offices in 2009/10 and 30,941 in 2008/09. The major cost components for Court Services are the salary and benefit costs of court staff and Provincial Court judges with associated supplies and services costs. Criminal Justice costs are primarily the salary and benefit costs of the Crown prosecutors. Corporate Services costs are for the operation and maintenance of the JOIN system applicable to criminal case tracking. Corporate Services also pays for the salary and other operating costs for the Fines Enforcement Unit who collects *Criminal Code* fines on behalf of all courts in the province.

The table below summarizes the federal statute fine payments received and the cost for all Fine Orders prepared by all Provincial Court offices.

		2009/10	2008/09 (Restated)
Total Federal Statute Payments Received			
Federal Acts - Fine and Surcharge	A	$ 15,132,190	$ 12,571,630
Cost for Fine Orders by All Courts			
Court Services and Criminal Justice		$ 10,610,805	$ 10,904,103
Corporate Services		1,074,160	1,093,358
Total Estimated Cost	B	$ 11,684,965	$ 11,997,461
Cost per Dollar Collected	(B/A)	$ 0.77	$ 0.95

Supplementary Ministry Financial Information

OFFICE OF THE PUBLIC TRUSTEE, ESTATES and TRUSTS

FINANCIAL STATEMENTS

YEAR ENDED MARCH 31, 2010

Auditor's Report	**65**
Statements of Financial Position	**66**
Statements of Changes in Net Assets Administered	**67**
Common Fund Statements of Operations	**68**
Notes to the Financial Statements	**69**

AUDITOR GENERAL
Alberta

Auditor's Report

To the Minister of Justice and Attorney General

I have audited the statements of financial position of the Office of the Public Trustee, Estates and Trusts as at March 31, 2010 and 2009, the statements of changes in net assets administered and the common fund statements of operations for the years then ended. These financial statements are the responsibility of the management of the Office of the Public Trustee. My responsibility is to express an opinion on these financial statements based on my audits.

I conducted my audits in accordance with Canadian generally accepted auditing standards. Those standards require that I plan and perform an audit to obtain reasonable assurance whether the financial statements are free of material misstatement. An audit includes examining, on a test basis, evidence supporting the amounts and disclosures in the financial statements. An audit also includes assessing the accounting principles used and significant estimates made by management, as well as evaluating the overall financial statement presentation.

In my opinion, these financial statements present fairly, in all material respects, the financial position of the Office of the Public Trustee, Estates and Trusts as at March 31, 2010 and 2009, and the changes in its net assets and the results of its operations for the years then ended in accordance with Canadian generally accepted accounting principles.

Merwan N. Saher CA
Auditor General

Edmonton, Alberta
July 14, 2010

Office of the Public Trustee
Estates and Trusts
Statements of Financial Position
As at March 31

(in thousands)

	2010	2009
COMMON FUND ASSETS		
Cash (Note 3)	$ 9,438	$ 18,672
Accrued Investment Income	4,946	6,177
Common Fund Accounts Receivable	568	1,449
Investments (Note 4)	442,279	428,206
	457,231	454,504
Client Guaranteed Accounts (Note 2(a))	(388,368)	(387,790)
	68,863	66,714
CLIENT ASSETS		
Client Guaranteed Accounts	388,368	387,790
Accounts Receivable (Note 2(d(i)))	3,505	4,469
Securities and Investments (Note 5)	66,627	59,954
Real Estate Holdings (Note 2(d(iii)))	31,722	31,877
Personal Property and Other Assets (Note 2(d(iv)))	979	1,071
	491,201	485,161
TOTAL ASSETS	$ 560,064	$ 551,875
COMMON FUND LIABILITIES		
Accounts payable and accrued liabilities	$ 3,089	$ 3,457
CLIENT LIABILITIES		
Accounts, Mortgages and Notes Payable (Note 2(d(v)))	15,668	14,333
Estate Administration Fees Payable to the Public Trustee	9,393	9,653
	25,061	23,986
	28,150	27,443
NET ASSETS ADMINISTERED		
Common Fund	65,775	63,257
Client Assets	466,139	461,175
	531,914	524,432
TOTAL LIABILITIES AND NET ASSETS ADMINISTERED	$ 560,064	$ 551,875

The accompanying notes are an integral part of these financial statements.

Office of the Public Trustee
Estates and Trusts
Statements of Changes in Net Assets Administered
Year ended March 31

(in thousands)

	2010	2009
INCREASE IN CLIENT ASSETS		
Client Pensions, Benefits, Settlements and Other Funds Received	$ 90,853	$ 87,586
Net Client Assets Acquired During the Year (Note 2(h))	31,857	42,342
Income Earned on Common Fund Investments (Note 2(c))	19,101	19,548
Dividends, Royalty and Other Income from Client Investments	972	1,906
TOTAL INCREASE IN CLIENT ASSETS	142,783	151,382
DECREASE IN CLIENT ASSETS		
Cash Distributions to Clients, Beneficiaries and Heirs	50,870	48,718
Payments for Client Care and Maintenance	51,221	49,995
Net Assets Released to Clients, Beneficiaries and Heirs	22,553	17,415
Taxes Paid from Trust Funds	2,614	2,731
Estate Administration Fees Paid to Public Trustee (Note 2(e))	5,445	5,334
Common Fund Operating Expenses	2,598	1,964
TOTAL DECREASE IN CLIENT ASSETS	135,301	126,157
INCREASE IN ASSETS ADMINISTERED	7,482	25,225
NET ASSETS ADMINISTERED - BEGINNING OF YEAR	524,432	499,207
NET ASSETS ADMINISTERED - END OF YEAR	$ 531,914	$ 524,432

The accompanying notes are an integral part of these financial statements.

Office of the Public Trustee
Estates and Trusts
Common Fund Statements of Operations
Year ended March 31

(in thousands)

	2010	2009
REVENUE		
Revenue from investments	$ 18,388	$ 18,778
Gain on sale of investments	584	391
Interest from cash deposits	54	361
Recovery of prior period expenses	75	18
	19,101	19,548
EXPENSES		
General expenses	1	1
Assurance payments (Note 6)	195	136
Common Fund transfer (Note 2(g))	2,402	1,827
	2,598	1,964
NET OPERATING INCOME	16,503	17,584
INTEREST PAID TO CLIENTS (Note 2(f))	13,985	16,812
NET INCREASE IN COMMON FUND NET ASSETS	2,518	772
COMMON FUND NET ASSETS – BEGINNING OF YEAR	63,257	62,485
COMMON FUND NET ASSETS – END OF YEAR	$ 65,775	$ 63,257

The accompanying notes are an integral part of these financial statements.

Office of the Public Trustee
Estates and Trusts
Notes to the Financial Statements

Note 1 Authority

The Public Trustee of Alberta ("Public Trustee") operates under the authority of the *Public Trustee Act*, SA 2004, C.P. 44.1, ("the Act") and other provincial statutes to protect the financial interests of vulnerable Albertans by administering the estates of represented adults, decedents and minors.

These statements reflect the operations of the Common Fund and the net assets held in trust and activity for the estates and trusts administered by the Public Trustee.

The Ministry of Justice of Alberta ("the Ministry") is accountable for the Office of the Public Trustee as a part of the Ministry. The Ministry pays the operating costs of the Office of the Public Trustee. The operating costs of the Office of the Public Trustee are not included in these statements and can be found in the financial statements of the Ministry.

The estate administration fees charged by the Office the Public Trustee as indicated in Note 2 (e) are paid to the Ministry.

Note 2 Summary of Significant Accounting Policies and Reporting Practices

These financial statements are prepared primarily in accordance with Canadian generally accepted accounting principles for the public sector as recommended by the Public Sector Accounting Board (PSAB) of the Canadian Institute of Chartered Accountants. The PSAB financial statement presentation standard for government summary financial statements has been modified to more appropriately reflect the nature of the Office of the Public Trustee.

Because the precise determination of many assets, liabilities, revenues and expenses is dependent on future events, the preparation of financial statements for a period necessarily includes the use of estimates and approximations, which have been made using careful judgement. As a result, there is measurement uncertainty in the recorded amounts. In particular, the fair value of many assets is estimated at the time the Office of the Public Trustee assumes the responsibility for the asset. Actual results could differ from those estimates.

In management's opinion, these financial statements have been properly prepared within reasonable limits of materiality and within the framework of the accounting principles summarized below.

Note 2 Significant Accounting Policies and Reporting Practices (continued)

(a) Common Fund and Client Guaranteed Accounts

The Public Trustee Act Section 31(2) requires (with certain exceptions) that the money received by the Public Trustee for a client to be paid into the common fund. Section 33(3) requires any amount paid into the common fund for a client under section 31(2) to be credited to the client's guaranteed account with the Public Trustee.

Section 31(4) of the Act states that no client or other person has any claim to or against the common fund except as provided by section 33. Section 33(6) states that the amount outstanding on a client's guaranteed account is a charge against the assets of the common fund and is unconditionally guaranteed by the Crown.

Section 32(1) of the Act states that assets may be transferred out of the common fund only as expressly required or permitted under the Act. Section 32(2) allows funds to be transferred out of the common fund to pay the client, to pay an expense or liability of the client (including Public Trustee fees authorized by section 40), or similar purposes. Amounts transferred from the common fund under section 32(2) are deducted from the client's guaranteed account (section 33(4)). Section 32(3) allows the Public Trustee to transfer amounts from the common fund to cover expenses of operating the common fund (e.g. bank charges, custodianship fees, investment advisors fees). Section 32(4) allows the Public Trustee, in accordance with the regulations, to transfer amounts from the common fund to be applied to the cost of administering the Act. Amounts transferred from the common fund under either section 32(3) or section 32(4) are not deducted from clients' guaranteed accounts (section 32(5)), but are charged against common fund operations.

Section 34 of the Act states that the Public Trustee, in accordance with regulations, sets the interest rate to be credited to client guaranteed accounts.

(b) Common Fund Investments

Common fund investments are recorded at cost. They include bonds, mortgages, equity investments and cash. Investment income is accrued as earned. Purchase price premiums or discounts are amortized on a straight-line basis over the remaining term of the investment.

Unless otherwise noted, it is management's opinion that the investments are not exposed to significant interest, currency, credit or market risks. The fair values of these investments approximate their carrying values unless otherwise noted.

(c) Revenue

All revenues are reported on the accrual basis of accounting.

Note 2 Significant Accounting Policies and Reporting Practices (continued)

(d) Client's Assets and Liabilities Outside of Common Fund

(i) *Accounts Receivable*

Client accounts receivable include pension and other benefits, life insurance policies, mortgages, leases and other miscellaneous receivables.

Pension plans with a guaranteed minimum payment are recorded at a nominal value of $1 and adjusted to residual value at the date of death of the client. Plans where there is no residual value are recorded at a nominal value of $1.

Life insurance policies that carry a cash surrender value are stated at cash surrender value. Policies that do not carry a cash surrender value are recorded at a nominal value of $1.

If the Public Trustee considers it appropriate, a represented adult's trusteeship plan will permit the represented adult to open or maintain a deposit account at a financial institution with a proposed maximum balance of $2,500.00. The Public Trustee reviews monthly bank statements to ensure the limit on the client's bank account is being maintained within policy. These accounts are recorded at a nominal value of $1.

All other receivables are recorded at their face value.

(ii) *Securities and Investments*

Client securities and investments, held for clients outside the common fund, consist of bonds, annuities, shares, RRSPs, term deposits, guaranteed investment certificates and other investments. Annuities are recorded at the present value of their guaranteed term. If there is not a guaranteed term, the annuity is recorded at a nominal value of $1. Other client securities and investments are recorded at their market value at the time the Office of the Public Trustee assumes responsibility for the investment.

Where a market value for an investment is not readily available, the investment is recorded at a nominal value of $1. The carrying value of the investment is adjusted to market value if one subsequently becomes available.

(iii) *Real Estate Holdings*

Client real estate holdings are recorded at the property tax assessment value at the time the Office of the Public Trustee assumes responsibility for the property. Buildings and other depreciable assets are not depreciated in future periods after the initial value is determined.

Where the tax assessed value for property is not readily available, for example with foreign property, the property is recorded at a nominal value of $1. The carrying value of the property is adjusted to a tax assessed value if one subsequently becomes available.

Note 2 Significant Accounting Policies and Reporting Practices (continued)

(iv) *Personal Property and Other Assets*

Client personal property and other assets are recorded at a nominal value of $1 at the time the Office of the Public Trustee assumes responsibility for the assets.

The nominal value of jewellery, collectibles, mobile homes, and interests in insurance policies is adjusted to fair value when it becomes available.

(v) *Accounts Payable, Mortgages and Notes Payable*

Client accounts payable, mortgages and loans payable represent encumbrances of client assets that are payable to independent third parties. These client obligations are settled as client resources become available. In some cases, a client's liabilities exceed the stated value of his/her assets. These items are included as accounts payable and are paid as the resources of the client become available. The carrying value of these liabilities approximates fair value.

(e) Estate Administration Fees Paid to Public Trustee

Public Trustee fees on all official guardian accounts are calculated and collected in the month of the annual anniversary of the opening of the file. Fees are accrued for the period from the anniversary date to the Statement of Financial Position date. For accounts opened prior to January 1, 2005 a one-time calculation of fees on official guardian accounts was completed to December 31, 2004 and recorded as a liability. These fees will be collected from the client at the end of the Public Trustee's administration.

Public Trustee fees for represented adult accounts are calculated and collected annually on the trust's anniversary date. Fees are accrued for the period from the anniversary date to the Statement of Financial Position date.

Public Trustee fees on decedent accounts are not charged until the trust or account is distributed. Fees are accrued from the period of the date the trust account was opened until the Statement of Financial Position date.

In addition to the above stated administration fees the Public Trustee may, in accordance with section 40(1)(a) of the Act, charge the client any fee that the Public Trustee deems is reasonable for any service, including legal services, that the Public Trustee provides to the client or for a task or function performed by the Public Trustee for the benefit of the client. Under section 40(1)(b), the Public Trustee is entitled to collect from the client any expense reasonably incurred on the client's behalf.

(f) Interest Paid to Clients

Section 34 of the Act states that the Public Trustee shall set the interest rate for each category of guaranteed accounts in accordance with the regulation. Interest must be credited to guaranteed accounts in accordance to this section and the regulation. Interest is calculated on the minimum daily balance of each client's account and is credited to the client's account monthly. The interest rate as at March 31, 2010 is 3.5% (2009 – 4.0%).

Note 2 Significant Accounting Policies and Reporting Practices (continued)

(g) Common Fund Transfer

The Public Trustee, in accordance with section 32(4) of the Act and the regulation, may transfer amounts from the common fund to the General Revenue Fund to be applied to the cost of administering the Act. Up to a maximum of 1% of the prior year's Net Assets Administered may be transferred annually to the Ministry of Finance and Enterprise to fund specific initiatives that have been approved by Treasury Board.

(h) Net Client Assets Acquired During the Year

Net client assets acquired during the year consists of client assets less liabilities acquired, valuation adjustments, and the difference between the proceeds on assets sold and the value of the asset. Assets are valued in accordance with policies in note 2(d).

Note 3 Cash

Cash consists of demand deposits in the Consolidated Cash Investment Trust Fund (CCITF). The CCITF is administered by the Ministry of Finance and Enterprise with the objective of providing competitive interest income to depositors while maintaining maximum security and liquidity of depositors' capital. The portfolio comprises high quality short-term and mid-term fixed-income securities with a maximum term-to-maturity of three years. As at March 31, 2010, securities held by the CCITF have a time-weighted rate of return of 1.0% per annum (2009 – 3.0% per annum).

Note 4 **Investments**
(in thousands)

The table below represents the investment asset mix and for fixed-income investments shows the remaining terms to maturity and interest rates as of March 31, 2010.

	0 to 5 years	5 to 10 years	Over 10 years	2010	2009
Government of Canada bonds Interest rate	$ 30,784 2.75% to 4.10%	$ 555 2.50% to 3.75%	$ 2,653 4.69% to 8.0%	$ 33,992	$ 25,634
Province of Alberta bonds Interest rate	$ 19,272 4.5% to 5.85%	$ 539 4.65%	-	$ 19,811	$ 19,933
Other Provinces bonds Interest rate	$ 136,234 3.25% to 6.25%	$ 3,995 4.3% to 4.5%	$ 7,980 5.6% to 8.5%	$ 148,209	$ 146,448
Municipal bonds Interest rate	$ 23,078 5.85% to 5.9%	-	-	$ 23,078	$ 31,524
Corporations bonds Interest rate	$ 65,288 4.17% to 5.06%	$ 57,687 4.55% and at variable rates	$ 22,451 4.55% and at variable rates	$ 145,426	$ 145,496
ATB Financial bonds Interest rate	$ 5,967 4.1%	-	-	$ 5,967	$ 5,947
Equity Investments	-	-	$ 13,529	$ 13,529	$ 13,276
Cash and Cash Equivalent	$ 13,648	-	-	$ 13,648	$ 8,774
Mortgages Interest rate	$ 18,020 2.90% to 6.54%	$ 188 4.2% to 4.35%	$ 2,717 at variable rates	$ 20,925	$ 13,175
Other – Asset Backed Interest rate	$ 17,415 5.3% to 5.42%	-	-	$ 17,415	$ 17,463
Other – US Treasury Interest rate	-	-	-	-	$ 295
Interest Receivable Diversified Portfolio	$ 279	-	-	$ 279	$ 241
Total	$ 329,985	$ 62,964	$ 49,330	$ 442,279	$ 428,206
Market Value – March 31				$ 453,783	$ 437,398

Note 5 Client Assets - Securities and Investments

(in thousands)

Client securities and investments consist of:

	2010	2009
Term and RRSP Deposits	$ 10,735	$ 8,527
Government of Canada Bonds	1,046	994
Shares and Other Securities	54,846	50,433
Total	$66,627	$ 59,954

Due to the numerous unique client investments, it is not practical to determine market value or disclose rates of return on these investments.

Note 6 Assurance Payments

(in thousands)

Section 35(1) of the Act states that the Minister may authorize an amount to be transferred from the common fund to a person who has suffered a loss as a result of an act or omission of the Public Trustee, if the Public Trustee certifies that it is just and equitable to make the payment. Under section 35(2) the amount of the claim may not exceed the amount by which the value of the assets of the common fund exceeds the total amount outstanding on guaranteed accounts immediately before the payment. During the year, the Office of the Public Trustee made assurance payments of $195 (2009 - $136).

Note 7 Contingent Liabilities

(in thousands)

At March 31, 2010, the Public Trustee is a defendant in eight legal claims (2009 – seven legal claims). Seven of these claims have specified amounts totalling $927,542 and the remaining one has no specified amount (2009 – six claims with a specified amount of $936,938 and one with no specified amount). Included in the total legal claims are five claims amounting to $919,290 (2009 – four claims amounting to $916,000) in which the Public Trustee has been jointly named with other entities. Seven claims amounting to $927,490 (2009 – six claims totalling $924,200) are covered by the Alberta Risk Management Fund.

Note 8 Statement of Cash Flows

A statement of cash flows has not been included in these financial statements as the cash flow information is readily apparent from the other statements.

Note 9 Approval of Financial Statements

The Deputy Minister of Justice and Deputy Attorney General and the Public Trustee approved these financial statements.